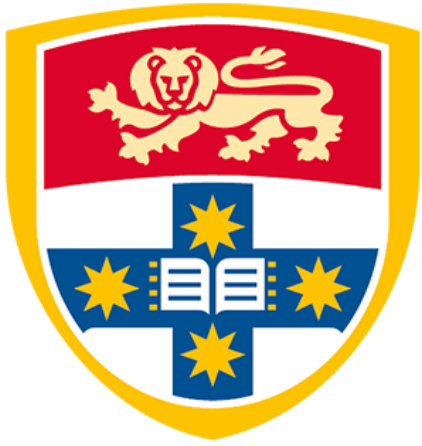
FROM MIGRANT TO WORKER

Global Unions and Temporary Labor Migration in Asia

MICHELE FORD



THE UNIVERSITY OF
SYDNEY

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Michele Ford

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Abbreviations

AAFLI	Asian-American Free Labor Institute
ACFTU	All Ceylon Federation of Free Trade Unions
ACTRAV	ILO Bureau for Workers' Activities (Bureau des Activités pour les Travailleurs)
ACTS	A Call to Serve
ADWU	Asian Domestic Workers' Unions
AMC	Asian Migrant Centre
AMCB	Asian Migrants Coordinating Body
ANFT	Advocacy Network for Foreign Trainees
ANM	Action Network for Migrants
APFSU	Asian People's Friendship Society Union
ASEAN	Association of Southeast Asian Nations
ASETUC	ASEAN Services Employees Trade Union Council
ATKI-HK	Association of Indonesian Migrant Workers in Hong Kong (Asosiasi Tenaga Kerja Indonesia Hong Kong)
BATU	Building, Construction and Timber Industries Employees' Union
BWI	Building and Wood Workers' International
CFL	Chinese Federation of Labor
CGU	Council of Global Unions
CMA	Center for Migrant Advocacy
CSGWU	Construction Site General Workers Union
CSO	civil society organization
CTUM	Confederation of Trade Unions of Myanmar
CUEPACS	Congress of Unions of Employees in the Public and Civil Services
EFBWW	European Federation of Building and Wood Workers
EFFAT	European Federation of Food, Agriculture and Tourism Trade Unions
EI	Education International
EIEU	Electronics Industry Employees Union
EIWU	Electrical Industry Workers Union
EPSU	European Federation of Public Service Unions
ETUC	European Trade Union Confederation

FADWU	Federation of Asian Domestic Workers Unions
FES	Friedrich Ebert Foundation (Friedrich-Ebert-Stiftung)
FKTU	Federation of Korean Trade Unions
FMWU	Filipino Migrant Workers Union
FNV	Netherlands Trade Union Confederation (Federatie Nederlandse Vakbeweging)
FTUB	Federation of Trade Unions–Burma
GAMMI	Indonesian Migrant Muslim Alliance (Gabungan Migran Muslim Indonesia)
GDP	Gross Domestic Product
GEFONT	General Federation of Nepalese Trade Unions
GUF	Global Union Federation
HKCTU	Hong Kong Confederation of Trade Unions
HKFTU	Hong Kong Federation of Trade Unions
HKTUC	Hong Kong Trade Union Council
HOME	Humanitarian Organization for Migration Economics
IAEA	International Arts and Entertainment Alliance
ICEM	International Federation of Chemical, Energy, Mine and General Workers' Unions
ICFTU	International Confederation of Free Trade Unions
ICFTU-APRO	International Confederation of Free Trade Unions–Asia-Pacific Regional Office
IDWF	International Domestic Workers Federation
IFBWW	International Federation of Building and Wood Workers
IFJ	International Federation of Journalists
ILO	International Labour Organization
IMF	International Metalworkers' Federation
IMWU	Indonesian Migrant Workers Union
ITF	International Transport Workers' Federation
ITGLWF	International Textile, Garment and Leather Workers' Federation
ITS	International Trade Secretariats
ITUC	International Trade Union Confederation
IUF	International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco, and Allied Workers' Associations
JCMK	Joint Committee on Migrants in Korea
KCTU	Korean Confederation of Trade Unions
KCTWF	Korean Chemical and Textile Workers Federation
KCWU	Korean Construction Workers Union
KFCITU	Korean Federation of Construction Industry Unions
KMWU	Korean Metalworkers Union

KOPBUMI	Consortium for the Defense of Indonesian Migrant Workers (Konsorsium Pembela Buruh Migran)
KSBSI	Confederation of Indonesian Prosperous Labor Unions (Konfederasi Serikat Buruh Sejahtera Indonesia)
LO-Norway	Landsorganisasjonen i Norge
MFA	Migrant Forum in Asia
MFMW	Mission for Filipino Migrant Workers
MMN	Mekong Migration Network
MTU	Migrants Trade Union
MTUC	Malaysian Trades Union Congress
MWC	Migrant Workers Centre
MWG	Migrant Working Group
MWRN	Migrant Workers Rights Network
NCWU	Nepalese Construction Workers Union
NFCWU	National Federation of Construction Workers Unions
NGO	nongovernmental organization
NMWA	Nepali Migrant Workers Association
NTUC	National Trades Union Congress
NUPW	National Union of Plantation Workers
ODWU	Overseas Domestic Workers Union
PAP	People's Action Party
PLCC	Presbyterian Labor Concern Center
POHD	Penang Office for Human Development
PSI	Public Services International
SASK	Trade Union Solidarity Centre of Finland (Suomen Ammattilittojen Solidaarisuuskeskus)
SBMI	Indonesian Migrant Workers Union (Serikat Buruh Migran Indonesia)
SERC	State Enterprise Workers' Relations Confederation
SMEEU	Shipbuilding and Marine Engineering Employees' Union
SMJ	Solidarity Network with Migrants Japan
SOMI	Solidarity with Migrants
SOS	Singapore Organization of Seamen
SPU	Samwoo Precision Union
SSO	Solidarity Support Organization
STU	Sungseo Trade Union
SUARAM	Voice of the Malaysian People (Suara Rakyat Malaysia)
TACDB	Thai Action Committee for Democracy in Burma
TCTU	Taiwan Confederation of Trade Unions
TEUPM	Timber Employees Union Peninsular Malaysia

TF-AMW	Task Force on ASEAN Migrant Workers
TIWA	Taiwan International Workers Association
TLC	Thai Labor Campaign
TLSC	Thai Labor Solidarity Committee
TMWU	Thai Migrant Workers Union
TRIANGLE	Tripartite Action to Protect Migrants within and from the GMS from Labor Exploitation
TWC2	Transient Workers Count Too
UNDW	Union of Nepalese Domestic Workers in Hong Kong
UNEPASS	Union of Employees of Port Ancillary Service Suppliers
UNI	Uni Global Union
UNI MLC	UNI Malaysian Liaison Council
UNIFEM	United Nations Development Fund for Women
UNIFIL-HK	United Filipinos in Hong Kong
UNIMIG	Indonesian Migrants' Union (Union Migrant Indonesia)
VMWBO	Vietnamese Migrant Workers and Brides Office
WAO	Women's Aid Organization
WIEGO	Women in Informal Employment: Globalizing and Organizing
YCFTU	Yilan County Fishermen Trade Union
YCO	Yaung Chi Oo Workers' Association

FROM MIGRANT TO WORKER

INTRODUCTION

Since the 1970s, there has been an enormous expansion in temporary labor migration across Asia. Some foreign workers are highly skilled, highly mobile expatriates looking to expand their professional horizons. Millions of others are employed on limited-term contracts in a diverse range of blue-collar occupations, in the service sector, or as paraprofessionals in industries like health care. This army of temporary labor migrants—themselves overwhelmingly Asian—plays a vital role in the economies of wealthier countries in the region. From Thailand to Taiwan, they work in factories and on fishing fleets, construction sites, and plantations; they staff restaurants and hospitals; they keep house and care for the aged and the very young.

The marginality of foreign workers in Asia's wealthier labor markets is partly due to the uncertainty of their migration status. In some cases, contracts can roll over, but most temporary labor migrants are expected to return to their country of origin between contracts, even if just for a short time. Meanwhile, for millions of irregular migrant workers—those working without an appropriate visa, or sometimes even a passport—every day carries the risk of being detained or deported. Temporary labor migrants may also experience significant hardship in the workplace, where their migration status too often amplifies the problems faced by local workers or long-term immigrants in the same occupations. They are more likely than other workers to be underpaid, to be expected to take on excessive overtime, and to be treated badly. Under threat of having their visas revoked, they are almost always reluctant to challenge these and other exploitative practices.

Where, then, are the voices raised in temporary labor migrants' defense? For a long time, Asia's labor unions were at best apathetic and at worst hostile to foreign workers, fearing that their presence would undermine the wages and working conditions of local union members.[1] As a consequence, efforts to protect and support temporary labor migrants were left almost exclusively to nongovernmental organizations (NGOs) and faith-based groups concerned by the personal and work-related adversities they face. Beginning in the middle of the first decade of the twenty-first century, however, many Asian unions changed their position and began reaching out to this group of workers. Some did so after realizing that the welfare of union members, and their own survival, required a more inclusionary approach. In most cases, however, their engagement with temporary labor migrants was driven primarily by encouragement, sometimes by pressure, from the international labor movement.

A Helping Hand

The claim has been made in the European context that "unions tend to consider migrants primarily as *workers* . . . rather than as *migrant workers* with particular and overlapping forms of oppression" (italics in the original; Alberti, Holgate, and Tapia 2013, 4132). In Asia, the opposite is true: there, foreign workers have been seen first and foremost as migrants—whose presence disrupts the local labor market and harms the local labor force—rather than as part of a global collectivity of workers. This, together with the labor movement's structural weakness in much of the region, explains why NGOs and faith-based groups, not unions, first drew attention to their plight (Yamanaka and Piper 2005). Some argued that temporary labor migration can never be good migration and therefore should be restricted. Others recognized—as temporary labor migrants themselves almost always believe—that employment abroad can provide a pathway to a better life for the children of migrant workers, and perhaps even for temporary labor migrants themselves. The primary concern of the first group has been to advocate for restrictions on temporary labor migration and job creation at home. For the second, the aim has been to eliminate unnecessary privations, to engender respect for the individuals whose labor makes such an important contribution to the welfare of home and host societies, and to ensure their access to human and labor rights.

With their small nimble structures, local NGOs and faith-based groups are well placed to engage in policy advocacy and provision of welfare services and, in some circumstances, even grassroots organizing. In countries of origin, they have tended to focus on policy advocacy and servicing in an attempt to strengthen legal pro-

tections for labor migrants, to prepare them before departure, and to assist them on their return. In destination countries, many NGOs and faith-based groups have engaged in advocacy, lobbying governments and employers for changes to migration policy or greater enforcement of measures already in place. Where successful, these advocacy efforts have had some structural impact, as in Singapore where NGO campaigns prompted the government to mandate a day off per week for domestic workers (Ford and Lyons 2016). Other groups took on heavy casework loads, helping migrant workers seek restitution for unpaid wages or abuse—or, when things became untenable, securing them safe passage home.

Like advocacy, case-based support has undoubtedly improved the situation of individual migrant workers, sometimes prompting governments to provide similar services. On the whole, however, the victories achieved through these approaches have been at best partial, prompting some NGOs and faith-based groups to begin organizing migrant workers. Working through Christian congregations and Islamic prayer circles, through home-country associations and residential communities, activists began encouraging temporary labor migrants to embrace their identity as workers and to demand access to their labor rights. Temporary labor migrants found solace in sharing their stories and in the companionship of their compatriots. They learned that the exploitation they experienced was not always legal and was never acceptable. In some cases, they found the courage to take to the streets, stage sit-ins, or even take strike action. Where it was most successful, this organizing strategy led to a remarkable upsurge in collective consciousness. Over time, however, it became increasingly evident that it is not enough for temporary labor migrants to embrace their identity as workers, even if it drives them to act. Ultimately, they need access to a destination country's industrial relations institutions if they are to benefit from the protections afforded to them by virtue of their status as workers.

Just as migrant workers are no less workers if labor unions choose not to represent them, migrant labor NGOs are no less labor movement organizations because they do not conform to the structure of a union (Ford 2004). But without representation by a union, foreign workers have little or no standing in the national industrial relations systems through which labor rights are operationalized. It is also unions that represent workers within the International Labour Organization (ILO), the United Nations organization that sets international labor standards, including those that affect migrant workers. These institutional roles in the national and international systems governing employment relations give unions special status. This, in turn, means that—even where they are less active or less effective than other civil society organizations (CSOs)—unions have a unique role to play in the protection of foreign workers' labor rights. It was the realization of the potential advantages of union involvement that convinced Asia's

migrant labor NGOs that engagement with local unions was required to change the structures that constrain foreign workers' access to their labor rights.

Enter the Global Unions

At the same time that migrant labor NGOs began to engage with Asia's unions, the international labor movement was beginning to take a serious interest in temporary labor migration. Initially, the global unions' interest in migration as an issue was driven by developments in Europe, where the establishment of a single labor market had led to a rapid increase in temporary labor migration. Subsequently, however, their migration programs were extended into several regions of the world. Not surprisingly—given the intensity of interregional labor migration, the presence of a critical mass of temporary labor migrants in a broad range of industries and sectors, and the conditions in which those labor migrants toil—Asia has been a key focus for much of this work.[2]

European Origins

Western European countries became importers of labor by the mid-1950s, and systematic attempts to regulate the use of foreign labor were first made during the recruitment boom between 1968 and 1973 (Castles and Miller 1998). Yet it was the successive expansions of the European Union from 2004 that fundamentally altered the composition of the workforce across Western and Northern Europe.[3] In the United Kingdom, for example, the flow of Polish workers was so strong that in one city the size of the Polish community reached 10 percent of the entire population (Alberti, Holgate, and Tapia 2013). From Spain to Finland, this unfettered mobility forced many unions to reconsider their protectionist approach to foreign workers (Martens and Pulignano 2008).

Across Europe, unions in sectors as diverse as care work and automobile manufacturing have responded to the challenge of temporary labor migration (Hardy, Eldring, and Schulten 2012; Bernaciak 2010). Union engagement has been strongest in those sectors of the economy where the largest numbers of migrant workers are employed.[4] In these sectors, organizing has become a necessity. According to the International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations (IUF), "If unions do not recruit, organise, represent and defend migrant workers, their role will become insignificant and some may even disappear altogether . . . organising migrants has become necessary if we are to halt the 'race to the bottom' which is reducing standards for all workers" (IUF 2008, 2).

The extent to which mainstream unions open their doors to temporary labor migrants is influenced by several interrelated contextual factors, including the position and influence that unions have in a host society, whether the labor market is tight or loose, the attitudes and behavior of government and other institutional actors toward them, and public perceptions (Penninx and Roosblad 2000). Along with unions' strategic decision-making processes and internal characteristics such as union identity and their predisposition to organizing, these factors help determine whether unions cooperate with or resist employers' efforts to recruit foreign workers, whether they embrace migrants as potential members, and, if so, whether they create targeted programs that meet their specific needs or simply treat them as they treat local union members (Marino, Rinus, and Roosblad 2017).

National contexts and common sectoral characteristics have produced some convergence in the strategies that unions have adopted to deal with temporary labor migration, but their responses have by no means been homogeneous (Hardy, Eldring, and Schulten 2012, 360).[5] Unions' repertoires of action are influenced by factors such as path dependency and the regulatory environment, but they ultimately exercise agency in determining their strategic approach to temporary labor migration (Connolly, Marino, and Lucio 2014). As in the United States, European unions have engaged with migrant labor as part of the broader imperative of union renewal.[6] In particular, as Bengtsson (2013, 174) notes, unions' responses have been shaped by the degree to which they are influenced by the Anglophone organizing model (see Fitzgerald and Hardy 2010). In the United Kingdom, for example, key unions have thrown themselves into organizing temporary labor migrants (Alberti, Holgate, and Tapia 2013). The Dutch cleaning and construction unions have introduced similar tactics (Berntsen and Lillie 2012). By contrast, the more institutionally embedded unions of Germany and Scandinavia have tended to eschew organizing in favor of traditional approaches, including labor diplomacy (Hardy, Eldring, and Schulten 2012; Bengtsson 2013; Friberg et al. 2014; Eldring, Fitzgerald, and Arnholtz 2012)—although Finnish, German, and Swedish construction unions have also engaged in some organizing work (Alho 2013; Bengtsson 2013; Greer, Ciupijus, and Lillie 2013).

Driving the Global Campaign

The growing focus on temporary labor migration among unions in Europe is significant in and of itself. But it is also important because of the influence these financially powerful unions exert on the agenda of the international labor movement. The International Trade Union Confederation (ITUC)—the umbrella group for national union centers—and the Global Union Federations (GUFs)—which represent unions in particular sectors—are funded by a combination of

membership fees and other financial transfers within the international labor movement. Dues are collected by the global unions from affiliates around the world, but the biggest contributors are found in Europe and other parts of the Global North. The global unions also raise a significant proportion of their funding base from the international offices of wealthy national centers known as Solidarity Support Organizations (SSOs).[7] The most powerful of these are located in Scandinavia, Germany, and the Netherlands where, like the Asian American Free Labor Institute (AAFLI, now known as the Solidarity Center), SSOs were actively deployed by governments to help prevent the spread of communism during the Cold War.[8] National governments in these and other Western countries channeled resources through centrist and right-wing unions at home to bolster anticommunist unions in the third world. Cold War imperatives have since faded, but many millions of dollars of union aid continue to be distributed to developing-country union movements every year (Ford and Dibley 2012). Some of this funding is allocated directly to unions in developing countries. Much of it, however, is allocated to projects designed and implemented by the global unions.

The global unions' reliance on funding from the SSOs and their own affiliates in Europe explains why their global agenda has been so heavily influenced by European unions' interest in temporary labor migration. But while these agendas are influential, the ability of the global unions to translate shared objectives into outcomes is strongly affected by structural contingency—the nature and internal workings of their own organizations—and by the specificities of the local contexts in which they seek to act (see figure 1). Thus, while the global unions' migration agenda was initially driven by the agendas of European SSOs, the success or failure of their migration programs in other parts of the world depends on their capacity to exert influence within particular regions and, within those regions, in particular countries.

The global unions and other organizations within the international labor movement, including the SSOs themselves, have the power to influence local unions because of structural ties and financial flows that facilitate the diffusion of their agendas. Indeed, the strength of the global unions' relationships with local unions is largely determined by the extent to which those local unions depend on foreign support. But even where those relationships are strong, local unionists exercise agency, choosing whether or not to champion the cause of temporary labor migrants and, if so, the strategies they employ.

The capacity of local unions to defend the interests of temporary labor migrants—or, indeed, of any other group of workers—is dependent on their ability to navigate the political opportunity structures available to them (Ford and Gillan 2016). In Europe, the creation of a transnational labor market and ensuing changes in both the institutional context of industrial relations and in employer

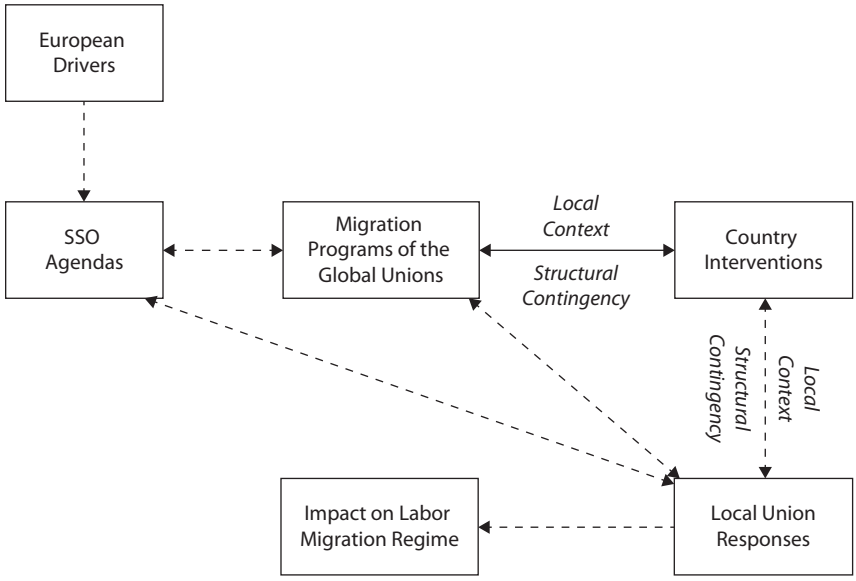

FIGURE 1. Factors influencing the global unions' migration programs

strategies have undoubtedly influenced unions' strategic choices in relation to labor migration. A transnational labor market also exists in Asia, albeit one characterized by far more rigid controls.[9] The possibility of regional responses to temporary labor migration in Asia is, however, much smaller than in Europe, where unions are far more institutionalized and rules governing the labor market are set by political institutions in ways that give unions some influence at the regional level.[10] While Asia's destination-country labor migration regimes are in dialogue with each other and with those of major Asian countries of origin, they ultimately remain bounded by the nation-state.

At the national level in different Asian countries, unions' strategic choices are informed by their identities and repertoires of contention. These are shaped not only by their own structures but also by government and employer agendas and the institutional context of industrial relations, which are in turn influenced by broader patterns of social and economic change (Frege and Kelly 2003, 13). There are vast variations in Asia's political systems, ranging from the semi-authoritarianism of Malaysia, Singapore, and Thailand to the several decades-long history of democracy in Japan. Along with resourcing constraints, assessments of these different political regimes and the opportunity structures that surround them influence the decision making of the global unions about the kinds of interventions that would be beneficial—and/or possible—in particular destination countries.

These contextual factors also necessarily influence local unions' responses to such interventions. As the Building and Wood Workers' International (BWI)'s Asian Migration Project officer told participants in the civil society gathering preceding the 2008 Global Forum on Migration and Development,

> It is easy for unions to say that they will organize migrant workers. The challenge is what does it really *mean*. Are we going to devote resources? Are we going to change the structure of unions to allow migrants to participate? There is a clear understanding that unions are on board, but we are grappling with what that means for us. The GUFs can encourage their affiliates to understand what it means to organize migrant workers and devote the resources necessary to do so, but what happens next is ultimately up to them. (People's Global Action on Migration, Development and Human Rights, field observations, October 2008)

It is to these questions that we must turn if we are to understand the implications of local unions' engagement with temporary labor migration in Asia.

Strategies for Change

The strategies employed by the global unions in their attempts to encourage local unions to engage with temporary labor migrants can be divided into three categories, which can also be used to describe the migration-related activities of NGOs and local unions (Ford 2013). The first category is *advocacy*, which incorporates elements of labor diplomacy, knowledge production and dissemination, and campaigns to bring about change in international norms, government policy, and public opinion (Ford and Gillan 2015). Advocacy is the mode of engagement that is most flexible in terms of the level of commitment required. It allows for action in contexts where unions are weak or their members indifferent or even hostile to temporary labor migrants. Advocacy initiatives may be sustained, but they may also be sporadic and incidental—for example, publicizing particular cases in which migrant workers have experienced abuse. Their target may be as simple as changing the way unionists think and talk about foreign workers or as complex as changing international institutions' approaches to temporary labor migration.

A focus on *servicing*, the second type of strategy, may reflect the general disposition of a union or be the result of a decision by the union leadership to keep migrant-labor-related activities separate from the union's core functions.[11] Servicing involves the provision of support of various kinds—such as legal aid, emergency shelter, or access to benefits negotiated as part of a collective bargaining process—to migrant workers who may be union members, but in most cases are

not. These activities may position temporary migrant workers as an integral part of the (potential) membership of mainstream unions or may work to keep them separate, replicating the approach taken by migrant labor NGOs. Variations on the same servicing strategies may also have very different resourcing requirements and very different levels of impact. For example, a union-to-union passport can be designed and distributed with little effect. When combined with sustained and effective follow-up, however, it can become a powerful means of providing better protection to temporary labor migrants while simultaneously shoring up unions' presence in migrant-dense sectors.

A third strategic mode, *organizing*, may involve the recruitment of migrant workers for an existing union or a separate, purpose-specific union or association. Organizing is by far the most challenging strategy available to unions; it is also the one most affected by the intersection of a country's employment relations and labor migration regimes. The organizing strategies and tactics adopted by unions in different destination countries are influenced, for example, by the legal provisions governing temporary migrant workers' right to freedom of association and the policy climate that facilitates or limits their capacity to access that right. In many countries in Asia, unions have difficulty servicing even their "core" members and so have few resources to organize and support new constituencies. Moreover, as is the case with casual and other precarious workers, a great deal of effort is required to organize temporary labor migrants. Many Asian unionists believe that this effort is wasted, because most temporary labor migrants will necessarily move on. These considerations have led to the emergence of two distinct organizing strategies. In a relatively small number of cases, mainstream unions have sought to recruit temporary labor migrants as part of their regular membership. More common has been a strategy of separate organizing, by which migrant-worker-focused associations are formed and, where possible, registered as migrant-only unions—with or without the support of a mainstream union.[12]

Finally, it is important to note that strategies associated with these three modes of engagement can be employed separately or together (Ford 2013). For example, direct forms of service provision such as case management of disputes around pay or working conditions involving migrants are extremely resource intensive for unions, as indeed they are for migrant labor NGOs. As a result, they can be difficult to justify and sustain if they are not tied directly to policy advocacy or the recruitment of temporary migrant workers as union members. Similarly, initiatives in each category may be undertaken unilaterally or in collaboration with another union (local or otherwise) or with a migrant labor NGO. For example, unions may work together to establish a help desk or cooperate with NGOs on an advocacy initiative designed to change a particular policy that affects migrant workers. The presence of permanent or semi-permanent *networks*—be they

national, regional, or international—can encourage and enhance the effectiveness of such collaborations among unions or between unions and NGOs.

Measuring Impact

The success or failure of the global unions' migration-related interventions in Asia can be assessed according to four criteria. First, the presence of an active migration program in the region is itself a measure of success. By virtue of their scalar position, the global unions, like other international labor movement actors, face many layers of complexity when determining the focus and nature of their activities (Ford and Gillan 2015). Achieving agreement at the headquarters level on a divisive issue like temporary labor migration is not easy, but that challenge pales in significance compared to the difficulties involved in mounting a substantive campaign for migrant worker rights at the regional or country level. This task is particularly demanding in a region like Asia, where local unions are weak and poorly networked across borders and political space is limited.

The second measure is the extent to which global unions have succeeded in changing the positions taken by local unions on temporary labor migration. As argued earlier, international influence—particularly as it is exercised through the GUFs—has been pivotal in shifting the attitudes of local union leaders on temporary labor migration in many of Asia's destination countries. As the chapters that follow demonstrate, there is enormous variation in global unions' capacity to exert such influence. Key among the factors affecting that capacity are *structural contingency* and *funding flows*, which affect the unions' relationships with their affiliates, as well as *local context*, which shapes the underlying values and beliefs of local union elites and their members. Importantly, a shift in a union's institutional position on migration at the national level does not always translate to change at the branch or workplace level.

Third, it is necessary to evaluate the extent to which changes in attitude translate into concrete initiatives designed to assist temporary labor migrants in particular countries. In some cases, unions realize that their future depends on broadening their membership base. In others, the existence of concrete initiatives may reflect little more than the capacity of the SSOs and global unions to provide external incentives such as funding. In Malaysia, for example, some of the national center's own officers questioned its commitment to organizing and supporting migrant workers. One local leader told me, "If there was no foreign funding, there'd be no activity on this issue" (Malaysian Trades Union Congress [MTUC] Penang division secretary, interview, May 2010). In this case and in some others, there is nevertheless evidence that those external incentives have served as a catalyst for real change. It is important, then, to examine the level of

buy-in from local unions and other factors, including the sustainability of different initiatives beyond the life of a project funded by a global union or indeed directly by an SSO.

Ultimately, however, the most telling measure of long-term success is the extent to which advocacy, servicing, or organizing increases the inclusiveness of a country's labor migration and employment relations regimes—for example, by stimulating policy changes that improve temporary labor migrants' capacity to renew their contract in-country or by mounting an organizing campaign that increases union presence in a migrant-dense sector. As at the regional level and globally, these interventions may be undertaken alone or in collaboration with other unions or with migrant labor NGOs. Success in this regard is necessarily relative and must be measured against what came before. What is clear, however, is that union-driven change has rarely occurred in the absence of support from the global unions and, in particular, the GUFs.

Structure of the Book

The chapters that follow chart the process through which local unions in Asia came to see temporary labor migrants as part of their constituency and the steps they have taken to meet their needs. As they demonstrate, several key differences set Asian unions' responses to temporary labor migration apart from those of their European counterparts. Key among these are the relative importance of NGOs and faith-based groups in the fight for migrant workers' labor rights and the role of the international labor movement in transforming local union responses.

Chapter 1 argues that the marginalization of temporary labor migrants is a result not only of their migration status but also of their position within the host-country labor market and therefore its industrial relations system. It begins by mapping the contours of the labor migration and employment relations regimes of the seven Asian destination countries examined in this book, with a focus on those aspects that most directly affect migrant workers. It then provides an analysis of how these regimes influence and respond to the efforts of migrant labor NGOs, labor unions, and foreign workers themselves to improve the working lives of Asia's temporary labor migrants.

The book then turns its attention to a closer examination of attempts to reconfigure Asia's labor migration and employment relations regimes. Chapter 2 focuses on the activities of migrant labor NGOs in migrant workers' countries of origin and destination. With regard to the latter, it distinguishes between countries where activism has focused on foreign domestic workers and those where it has focused primarily on other groups. As the chapter argues, this distinction is

important not only because the plight of domestic workers has attracted the attention of the international human rights and women's movements but also because the characteristics of domestic labor mean that this group of workers are the least likely to be covered by a country's industrial relations system. The chapter goes on to explain how, after many years of positioning their "clients" primarily as *migrants*, NGOs began to see them as *workers*—resulting in a dramatic shift in tactics, in the messages they espoused, and in the targets of their campaigns. It concludes with an assessment of how this increasing focus on temporary labor migrants' rights as workers has prompted NGOs individually and through their regional networks to engage with local unions and the international labor movement.

When foreign workers are positioned conceptually and structurally as migrants, governments and activists focus on their migration status. When they are recognized as workers, attention is drawn to their position in the labor market and therefore within the industrial relations institutions of a given destination country. Chapter 3 begins the task of assessing the significance of this shift by identifying the international drivers of Asian unions' engagement with temporary labor migrants. As noted earlier, increased labor mobility in Europe not only forced European unions to develop more systematic responses to temporary labor migration but also influenced the global unions' programs in the Global South. Chapter 3 focuses on the process through which these changes occurred, first considering the impact of the ILO's migration agenda and the different responses of the ITUC and the GUFs. It then examines the factors that have shaped the approaches of different GUFs to temporary labor migration, considering the impact of back-donor agendas and the influence of structural contingency and local context. Finally, the chapter describes each GUF's preferred modes of engagement globally, drawing on examples of advocacy, servicing, and organizing implemented directly and by GUF affiliates in Europe and elsewhere.

Chapter 4 takes a closer look at SSO and global union interventions in Asia and at the intersection between their initiatives and those of regional NGO networks to engage local unions in activism on behalf of migrant workers. Using the analytical tools developed in the previous chapter, it first assesses the factors shaping the GUFs' temporary labor migration programs in Asia and how they differ from their approaches at the global level. The chapter then moves on to describe the programs themselves and the modes of engagement embedded within them. As the discussion reveals, interventions by the international labor movement in Asia have several distinguishing features. First, a GUF's regional focus may be quite different from that of its headquarters, because of structural contingency and local context. The second feature is the degree to which GUF programs overlap with direct interventions by the SSOs. The third is the extent to which the

GUFs have chosen to work with national centers, in addition to their affiliates. The final feature of note is their use of collaboration with migrant labor NGOs as a crosscutting strategy at both the regional and national levels.

The impact of these attempts to involve destination-country unions in activities designed to improve the structural position of migrant workers is assessed in chapter 5. Unions in Asian destination countries, as elsewhere, have been forced to decide whether to accept or reject migrant workers—and, if they choose to accept them, whether to try to organize them or merely engage with them as a form of outreach. The chapter shows that key mainstream unions are more likely to have moved to a less exclusionary stance on immigration policy in the countries where the GUFs have been most active. They are also more likely to have engaged proactively not only in advocacy and servicing but also in organizing, either through direct recruitment or support for migrant-only unions.

The book ends with some reflections on the outcomes of these attempts to influence the region's labor migration regimes and their implications for our understanding of the labor movement's engagement with migrant workers. It concludes that the success of international labor movement actors in leveraging their relationships with local unions to stimulate change in the attitudes and behavior of those unions toward migrant workers in several Asian destination countries is highly significant, and has the potential to foster forms of engagement that have a substantive impact on the structures that dictate the conditions in which temporary labor migrants live and work.

1

ASIA'S LABOR MIGRATION AND EMPLOYMENT RELATIONS REGIMES

Scholars writing on temporary labor migration in Europe have long recognized that it is not only the broad sociopolitical context and migration policy that influence migrant workers' experiences in a destination country. Equally important are the structures of that country's institutional labor market and the readiness of its unions to engage with migrant workers (see, for example, Connolly, Marino, and Lucio 2014; Krings 2009). In the extensive literature on temporary labor migration in Asia, these insights are left largely unexamined and untheorized.[1] While much of this work draws attention to the location of migrant workers in destination-country labor markets, there has been no systematic comparison of the ways in which employment relations regimes of different destination countries intersect with their labor migration regimes. Neither has there been any systematic consideration of how employment relations and the regulation of labor migration condition the responses of local unions to temporary labor migration.

These absences belie the fact that the location of different groups of foreign workers within the political economy of a labor destination country is defined not only by their *migration status* but also by their *labor market position*. The latter determines the extent to which these workers are governed by the laws, institutions, and processes that regulate the relationship between employers and employees—known collectively as the *industrial relations system*. This formal system, in turn, is embedded in a web of informal institutions and norms, which together can be described as the employment relations regime. A country's labor migration and employment relations regimes are not mutually constitutive, but each limits the possible outcomes of the other, and in many cases they are mutu-

ally reinforcing. Moreover, both have important consequences for the political opportunity structures available to NGOs or unions—and, indeed, temporary labor migrants themselves—as well as for the targets of different forms of migrant labor activism.

Introducing an Employment Relations Perspective

Scholars of Asian labor migration have drawn attention to the involvement of grassroots migrant worker organizations and labor unions in migrant labor activism, with some calling for more careful analysis of those groups' involvement (Ford 2004, 2006b; Ford and Piper 2007; Hsia 2009; Piper 2006). However, there has been little consideration of the role of unions in the struggle for migrant labor rights in the region.[2] On the one hand, the paucity of close studies of union advocacy for the rights of temporary labor migrants is due to an emphasis on activism by and on behalf of foreign domestic workers (see, for example, Lyons 2010; Sim 2003).[3] On the other hand, unions' absence in the literature on labor migration reflects a disciplinary divide between scholars of migration and scholars of organized labor (Ford 2004). This disciplinary divide has led to a tendency among migration scholars to ignore or gloss over the impact of destination countries' employment relations regimes on the experiences of temporary labor migrants.

If migration scholars have dominated the discussion of migrant labor activism in Asia, the same cannot be said of the literature on migrant labor activism in Europe, where the employment relations perspective is well represented (see, for example, Marino and Roosblad 2008; Bengtsson 2013). Studies deal with themes such as the impact of unions' strength and institutional position on engagement with migrant workers, the potential of migrant worker organizing as a vector for union renewal, and the need to identify and deal with the specific needs of temporary labor migrants. But while this literature provides important insights into unions' motivations for engaging with temporary labor migrants and their strategies for doing so, its conclusions are not immediately applicable to the situation in Asia. Even within the Association of Southeast Asian Nations (ASEAN), the regulations that govern migration are much more varied than in the European Union, which has taken a region-wide approach to temporary labor migration. The far less institutionalized position of unions in Asia also means that their agency is more constrained. In addition, there are restrictions on the political space available to unions and civil society groups in a number of these countries. As a consequence of these and other factors, analyzing union behavior and

impact in Asian destination countries is necessarily more complex than in the case of Europe.

The European literature also only speaks in part to the drivers of union engagement. Reflecting not only the dominance of union responses in Europe but also the disciplinary background of the majority of scholars, that literature focuses on unions largely to the exclusion of other CSOs (see, for example, Lillie and Sippola 2011; Bernaciak 2010; Bengtsson 2013).[4] In Asia, however, NGOs and faith-based organizations have dominated the activist landscape when it comes to migration. Similarly, the literature on Europe may mention bilateral or European-level cooperation, but there is a striking absence of discussion of the role of the global unions (see, for example, Marino, Rinus, and Roosblad 2017b). This is not surprising, since the global unions largely follow Europe's lead. In Asia, however, GUF and SSO initiatives have been the most important factor in convincing local unions that they must act on temporary labor migrants' behalf.

Before turning to the question of migrant labor activism, it is first necessary to determine how a country's migration policies and practices intersect with the institutions, policies, and practices that regulate employment relations to shape the experiences of migrant workers. A useful starting point is to examine the key elements of different destination countries' labor migration regimes and how they mesh with the labor migration regimes of the region's countries of origin.

Asia's Labor Migration Regimes

A labor migration regime comprises the regulatory frameworks, institutions, and norms that shape migrant workers' experience of employment abroad.[5] Since it is inherently transnational in nature, temporary labor migration is governed by the labor migration regimes both of destination countries *and* of countries of origin. A country of origin's labor migration regime is the strongest influence on migrants' experiences before departure, including both the likelihood of exploitation during the recruitment process and their experiences on returning home. It is, however, the labor migration regime of the destination country that is the strongest determinant of temporary labor migrants' ability to avoid exploitation while in-country and to maximize the financial returns of their time overseas.

The key elements of a destination country's labor migration regime include the extent and nature of labor migration inflows, which reflect its openness and regulatory capacity; the complexity of its labor migration schemes, which determine who may or may not migrate for work and on what basis; and the rigidity of conditions under which labor migrants are employed (see table 1).

TABLE 1. Variation in labor migration regimes

	EXTENT AND NATURE OF LABOR MIGRATION		COMPLEXITY OF LABOR MIGRATION SCHEME		RIGIDITY OF LABOR CONTRACTS	
COUNTRY	NUMBER OF REGULAR LABOR MIGRANTS	NUMBER OF IRREGULAR LABOR MIGRANTS	REGULATION OF COUNTRY OF ORIGIN	REGULATION OF SECTOR OF EMPLOYMENT	ABILITY TO RENEW CONTRACT IN-COUNTRY	ABILITY TO CHANGE EMPLOYER
Hong Kong	High	Low	Medium	Low	High	Medium
Japan	Low	Low	Medium	High	Low	Low
Malaysia	High	High	High	High	High	Low
Singapore	High	Low	High	High	High	Medium
South Korea	Medium	Medium	High	High	Medium	Medium
Taiwan	Medium	Low	High	High	Low	Medium
Thailand	Low	High	High	Low	Medium	Medium

Asian destination countries' labor migration regimes share some broad characteristics, most notably a rejection of pathways to permanent migration for low- and semi-skilled temporary labor migrants.[6] As table 1 shows, they also differ in important and influential ways. Individually and collectively, these elements of each country's labor migration regime constitute the structures that shape the parameters of migrant workers' experiences in that destination country.

Extent and Nature of Temporary Labor Migration Flows

Large-scale international temporary labor migration has been an important part of the economic and social structures of almost all Asian countries, with millions of low- and semi-skilled temporary labor migrants finding employment in the Middle East and also within Asia itself (see figure 2).

Historically, the Philippines and Indonesia have been the most significant Southeast Asian countries of origin, followed by the Mekong countries. With the exception of India, which has a relatively low percentage of outward flows, the countries of South Asia also have a long history of reliance on temporary labor migration as a source of employment and revenue.[7] Many of these countries of origin have come to depend on funds remitted by temporary labor migrants. In Nepal, remittances accounted for close to 30 percent of gross domestic product (GDP) in 2013 (World Bank 2015). In the Philippines, which has a much larger economy, remittances accounted for almost 10 percent of GDP in the same year; Sri Lanka and Bangladesh had similar percentages. Although remittances represent a small proportion of the overall economies of other countries of origin like

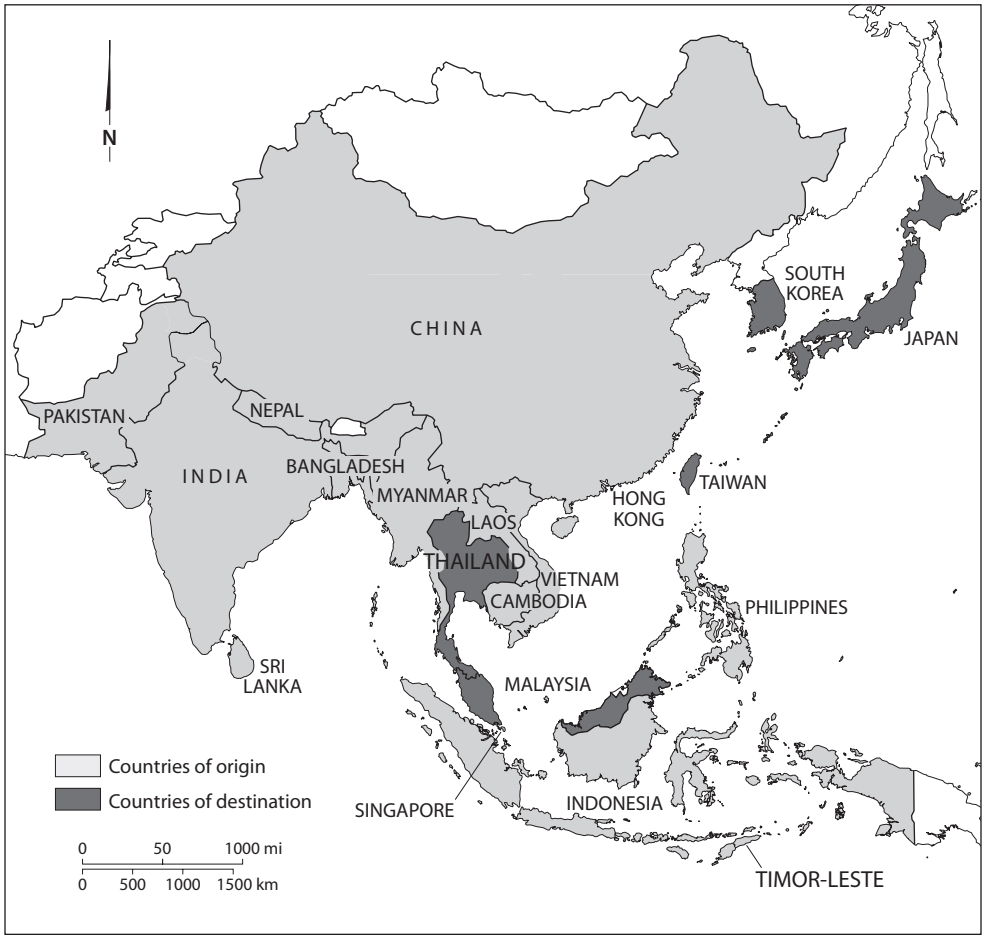

FIGURE 2. Asia's main countries of origin and destination

India and Indonesia, they are a vital part of the economic infrastructure of the particular districts from which large numbers of workers migrate.

Country of origin governments play a role in shaping temporary labor migration, sometimes through formal labor export programs intended to promote or control migration flows. They may also seek to protect prospective migrants from exploitation and abuse by ensuring that they have the appropriate skills and linguistic competencies, as well as some awareness of their rights before their departure.[8] Indonesia and the Philippines both have large, long-standing government-sponsored labor migration programs, but the extent to which these programs determine labor migration flows is quite different. Most Filipinos employed in destinations that have formal agreements with the Philippines gov-

ernment migrate through official channels (Battistella and Asis 2013). By contrast, many Indonesian labor migrants choose to avoid the complexity and expense of the official system—a choice made possible by mismatches between the requirements set by countries of origin and destination and, in some cases, by poor management of their international borders (Ford 2001, 2006c). Attempts to regularize migration to Thailand from other countries in the Mekong subregion have been even less successful, with many migrants choosing to avoid official processes altogether due both to the difficulty of obtaining the necessary government documents and the high costs involved (Chalamwong, Meepien, and Hongprayoon 2012).

But while participation in a structured program in the country of origin may be considered a necessary precondition to regular migration, regular status is ultimately accorded to those who meet requirements set by the destination country. At the most basic level, destination countries attempt to determine whether—and, if so, how many—foreign workers can enter the country and how long they can stay. Reliance on temporary labor migrants varies greatly from country to country because of their different policies (see table 2). Japan and South Korea have small inflows of regular and irregular labor migrants relative to the size of their populations, even though the numbers have increased in recent decades. But even Taiwan's numbers are modest compared to those of Hong Kong and the Southeast Asian destination countries, with Malaysia and Singapore the most significant recipients of regular temporary labor migrants in the region. Thailand's formal intake is relatively small. Like Malaysia, however, it receives large inflows of irregular migrant workers from neighboring countries and is itself a country of origin.

Of the seven countries listed, Japan is the most restrictive when it comes to temporary labor migration, although it is a significant importer of low-skilled foreign labor. Established in 1991, its "trainee" scheme has remained the primary mechanism for de facto temporary labor migration (Hosoki 2016). In South Korea, regular temporary migrant workers were admitted for many years through its Industrial and Technical Training Program, which was introduced to curb the large number of irregular migrant workers entering the country. This scheme was replaced in 2004 by more liberal arrangements under the Employment Permit System, which provides industry-specific quotas for primary industries, manufacturing, and construction. Unskilled Chinese workers of Korean origin are admitted under a separate "working visa" scheme (Lee and Chien 2016).

Other countries have been more transparent about their reliance on temporary migrant labor. The Hong Kong government has permitted the importation of foreign domestic workers since 1969 (Hewison 2005, 91). The Supplementary Labor Scheme introduced in 1996 permits recruitment of unskilled workers by

TABLE 2. Reliance on temporary labor migration

COUNTRY	POPULATION (MILLIONS)	NUMBER OF EMPLOYED PERSONS (MILLIONS)	NUMBER OF REGULAR LABOR MIGRANTS (MILLIONS)	EST. NUMBER OF IRREGULAR LABOR MIGRANTS (MILLIONS)
Hong Kong	7.3	3.8	0.4	Low
Japan	127.1	63.8	0.2	Low
Malaysia	31.0	14.1	2.1	2.0
Singapore	5.5	3.6	1.4	Low
South Korea	50.5	25.9	0.7	Low
Taiwan	23.5	11.2	0.6	Low
Thailand	68.0	38.4	0.5	2.5

Sources: Hong Kong Census and Statistics Department 2016b, a; Hong Kong Labour Department 2016; Hong Kong Council of Social Service 2016; ILO 2015c; Japan Ministry of Justice 2015; KCTU 2016; Malaysian Economic Planning Unit 2016; Republic of China National Statistics 2016b, a; Republic of China Ministry of Labor 2016; Singapore Ministry of Manpower 2016; Singapore Department of Statistics 2016; Statistics Japan 2016b, a; Statistics Korea 2016, 2015; U.S. Department of State 2015.

Note: Figures are the latest available as of 2015. The figure for regular labor migrants to Thailand excludes foreign workers who achieved regular status in-country.

employers in specified industries who cannot find suitable local employees (Lau 1999). Singapore similarly allows recruitment of unskilled laborers and has been a major destination for foreign workers since the late 1970s, when the government began to encourage their importation to combat a labor shortage and rising wages (Chew and Chew 1989, 54). Taiwan was the last of the Asian Tigers to accept large-scale inflows of temporary labor migrants, amending its Employment Service Act to allow businesses to hire foreign labor in 1992 (Liu 1996). Malaysia, which has long been a destination for undocumented migrant workers from Indonesia, began seeking to regulate inflows in the late 1960s (Kaur 2014). In Thailand, temporary labor migration was formalized much more recently. The Thai government signed its first bilateral agreement endorsing inward temporary labor migration in 2002, but it was not until 2006 that this agreement with Laos and another one with Cambodia were implemented, while the 2003 agreement signed with Myanmar was not operationalized until 2009 (Natali, McDougall, and Stubbington 2014). In any event, the number of workers entering Thailand through these agreements remains small compared to those entering through irregular channels.

The presence of large numbers of *irregular migrant workers* in a particular country may reflect problems with its border control mechanisms. There are, however, many other reasons why a country may become a destination for a significant number of irregular migrant workers, including pressure from em-

ployers to guarantee access to cheap labor. Indeed, as the ILO (2010a, 33) has observed, "Authorities are frequently aware of [irregular labor migrants] but tolerate them for a variety of reasons, including long-established historical patterns of mobility, the usefulness of migrants for certain interest groups and communities, [and] the evolution of often still poorly defined regional free movement regimes." Thailand and Malaysia may receive the largest numbers of irregular labor migrants, but they are not the only countries in the region to experience large inflows: South Korea's Ministry of Justice estimates that almost 80 percent of its foreign workforce was undocumented before the Employment Permit System law was implemented in 2004 (Lee 2005). However, Thailand and Malaysia are now set apart from the other Asian destination countries by the extent to which irregularity defines their labor migration regimes.

Countries also differ in the way that they manage irregularity. Malaysia uses punitive measures such as detention and periodic mass deportations to control the number of irregular migrants, interspersed with sporadic amnesty programs that allow irregular migrant workers to legalize their status (Ford 2006a). Similar tactics were used in South Korea in the 1990s (Lee and Yoo 2013). In the Thai case, the government has long favored post facto registration of irregular migrant workers. In 1992, it established a retrospective work permit system that allowed Burmese migrants already in the country to legally seek employment, a scheme that was subsequently expanded to other nationalities and other geographic locations. As of 2012, some 572,468 of the 1.85 million registered migrant workers in Thailand had been regularized through this process, while just 81,246 had entered legally under a Memorandum of Understanding (Thai Ministry of Labor cited in Hall 2012). However, as the cost of becoming and remaining registered is very high (Latt 2013, 48), many migrant workers make a rational economic decision to maintain their irregular status (migrant labor NGOs, interviews, February 2007). In 2014, these irregular migrants began to be arrested without warning, leading to a mass exodus of Cambodian workers (MMN 2014).

This diversity in the management of migrant labor inflows reflects the piecemeal way in which migration policies emerge and evolve over time. But it is also reflects countries' broader economic and political context, and even their geopolitical concerns. Governments harness the *flexibility* inherent in temporary labor migration schemes to respond to changes in the economic climate. In South Korea, for example, quotas are set annually, but are subject to adjustment depending on shifts in the domestic job market and the number of irregular migrants believed to be in the country (Korean Ministry of Employment and Labor 2012). These policy decisions are often at odds with public sentiment. In Thailand, for instance,

steps were taken to establish mechanisms by which irregular migrant workers can register, despite widespread popular resistance to large-scale labor migration from Myanmar (NGO activists, interviews, February 2007).

In most contexts, *political considerations* also drive migration policy. Politicians in the Malaysian state of Sabah have been accused of providing identity cards to foreigners in an attempt to boost the Malay vote in this non-Malay state (Sabahan unionists, interviews, February 2007). Sometimes, public dissatisfaction may force governments to step back from implementing controversial policies. In neighboring Singapore—a state known for the tight control of its citizens—a 2007 crackdown on "phantom worker scams" (whereby an employer attempts to increase its quota of foreign workers by pretending to hire more local workers) was prompted "by the state's need to be seen to be addressing the citizenry's frustrations" (Ong 2014, 448). In mid-2014, the government again responded to shifting political sentiment with an announcement that it would reduce the number of foreign workers allowed to enter, despite negative consequences for Singapore's economy (Armstrong and Ingrassia 2014).

International relations can also affect migration policy. For example, "the migrant worker issue, more than any other, has negatively affected the relationship between the citizens and governments" of Malaysia and Indonesia (Clark and Pietsch 2014, 181). During the Asian financial crisis of 1997–1998, the Malaysian government imposed a total ban on new recruitment of foreign workers, a policy mainly targeting Indonesians (Ford 2006a). Its anti-Indonesian stance remained in force into 2000, when it announced a plan to halve the number of Indonesians working in Malaysia. Two years later, the deputy prime minister responded to riots by Indonesian workers with threats to end Indonesian labor migration to Malaysia altogether (*Kompas,* January 27, 2002). While a total ban was not implemented, Malaysia subsequently announced a "hire Indonesians last" policy, followed by a further series of deportations involving more than 140,000 Indonesians. So high were the tensions between the two countries that both the Indonesian foreign minister and the Malaysian prime minister advised Malaysians to temporarily suspend visits to Indonesia (*Pikiran Rakyat,* August 29, 2002). Taiwanese authorities have also frequently used the country's labor migration schemes as a way of responding to perceived slights by other countries. In 2003, they barred Thai workers in response to the Thai government's refusal to issue a visa to the Taiwanese minister of labor. In 2013, they implemented a freeze on Filipino workers in response to the murder of a Taiwanese boat captain, until such time as an apology was issued by the Philippines government. A year later, they threatened to exclude Vietnamese workers in response to damage to Taiwanese assets in Vietnam (Chen 2014).

Complexity of the Labor Migration Scheme

One of the reasons it is important to distinguish between regular and irregular labor migration flows is that only regular labor migrants—those migrating for work legally—are bound by the conditions of formal labor migration schemes in the destination countries. Labor migrants' status is determined by a complex and ever-evolving set of migration policies designed to manage the number and type of temporary labor migrants entering through official channels. These intricate policy settings allow destination-country governments to closely control the number and type of temporary labor migrants admitted by imposing strict requirements on the countries from which temporary labor migrants come and the occupations in which they are employed. The policy environment is further complicated by the extent to which the system relies on agents or brokers to manage the day-to-day implementation of different schemes.

Most destination countries in the region have built their labor migration schemes around lists of approved *countries of origin*. South Korea, for example, has signed agreements with fifteen countries, thirteen of which are in South or Southeast Asia (Kim 2014). In Taiwan, only temporary labor migrants from six countries—five of which are in Southeast Asia—are permitted to seek work (Council of Labor Affairs 2014). Those seeking work in Malaysia must come from South Asia, Turkmenistan, Uzbekistan, Kazakhstan, or from the poorer countries of ASEAN (Immigration Department of Malaysia 2015). In Singapore, too, migrant workers are only permitted from particular source countries (Singapore Ministry of Manpower 2015b). Hong Kong works slightly differently, generating a list of countries whose nationals are not eligible under the supplementary labor scheme (Hong Kong Immigration Department 2014). In Japan, eligibility is not formally tied to nationality except in care worker schemes, but temporary labor migrants are sourced from the small number of countries with which Japan's International Training Cooperation Organization has an internship agreement.

In addition to specifying only certain countries of origin, destination countries often stipulate the *occupations or industries* in which temporary labor migrants can be employed. In Taiwan, for example, foreign blue-collar workers can only be employed in manufacturing, certain kinds of construction work, or specially designated industries such as fisheries and home-based care (Taiwan Ministry of Labor 2015). South Korea's Employment Permit System focuses on manufacturing, construction, and primary industries (with most temporary labor migrants employed in manufacturing), while Malaysia permits the employment of migrant workers in construction, plantations and agriculture, services, manufacturing, and domestic work (Republic of Korea Ministry of

Employment and Labor 2010; Immigration Department of Malaysia 2015). Hong Kong is the only real exception to this practice, allowing unrestricted numbers of domestic workers and of workers in any other sector in which an employer can demonstrate that he or she has "genuine difficulties in finding suitable employees" (Hong Kong Immigration Department 2015c, a). Several countries impose *occupation-based restrictions by nationality or sex*. For example, temporary labor migrants from a large number of countries can work in Singapore's construction, marine, and processing industries, but acceptable source countries for manufacturing and services are limited to China, Hong Kong, Macau, Malaysia, South Korea, and Taiwan (Singapore Ministry of Manpower 2015b). Hong Kong's general list of forbidden nationalities is supplemented in the case of domestic work by prohibitions on citizens from China, Macao, and Taiwan (Hong Kong Immigration Department 2015b). In Malaysia, Indian workers may be employed in a limited number of occupations, while Indonesian females can work in manufacturing, but Indonesian males may not (Immigration Department of Malaysia 2015).

Some countries even impose *geographic restrictions* on where migrants can work, reflecting patterns of economic activity, historical arrangements, or political sensitivities. The eastern Malaysian states of Sabah and Sarawak have separate labor migration schemes from Peninsular Malaysia (Ford 2010). Regular labor migration to Sarawak is very tightly controlled, with relatively small numbers of temporary labor migrants permitted to enter the state on a case-by-case basis. Sabah has large numbers of foreign workers, but they are only officially permitted to work in selected primary industries or in manufacturing, construction, or domestic work (Sabah Department of Labour 2015). In neighboring Thailand, irregular migrants from Myanmar were initially allowed to seek employment in twenty-seven designated occupations in four designated border provinces. This policy was extended in 1996 to accommodate Lao and Cambodian migrants in thirty-four designated occupations in forty-three provinces, and again in 1998 to allow them to work in forty-seven occupations in fifty-four provinces. It was not until 2001 that migrants were allowed to seek work in all industries and from 2002 to do so without any geographic restrictions (Chantavanich 2007).

Another element of the system that increases its complexity is the *use of agents* as brokers in the labor migration process. Most destination countries in the region outsource to private entities aspects of the recruitment and/or management of temporary labor migrants. The role of agents in different destination countries—but also in countries of origin—varies in terms of the degree of formalization, the extent to which authority is devolved to them, and the extent to which they have leeway to abuse their power (Palmer 2016; Spaan and van Naerssen 2017).[9] Overall, these brokers are poorly regulated, increasing the likelihood that prospec-

tive or current labor migrants are not treated according to the letter of the law. Even in Hong Kong, where enforcement of the labor migration regime is relatively strong, brokers regularly violate their legal obligations, for example, by offering Indonesian domestic workers at below the legal minimum wage (Palmer 2013).

These complex labor migration policies are in many cases only partially successful in managing the size of migration flows and the sectors in which migrants work. Despite the strict regulation of occupations, for example, it not uncommon for workers to be diverted to other jobs. In Taiwan, many women employed as home-based carers are forced by their employers to undertake domestic work (Loveband 2006). This and other forms of noncompliance are generally difficult to police. More generally, the success or failure of policies designed to manage temporary labor migration is determined not only by state capacity but also by the government's willingness to ensure that their different elements are enforced.

Rigidity of Migrant Labor Contracts

The rigidity of migrant labor contracts reflects government policies on the kinds of work that may be undertaken and restrictions on the *duration of employment*. Schemes generally limit the ability of workers to renew their contracts in-country or to change employers, but there is significant variation with regard to contract extension. Taiwan is the only country that does not allow any kind of in-country extension to work permits for blue-collar workers; those seeking extensions must leave the country before they can apply for them (Taiwan National Immigration Agency 2013). The conditions of the Taiwanese scheme are, however, relatively generous: as a result of amendments to the Employment Service Act in 2015, workers in designated sectors can spend a total of fourteen years in the country.[10] In other countries, extensions are difficult to obtain. In South Korea, migrant workers entering through the Employment Permit System are granted visas that are renewable for up to four years and ten months (ILO 2010b, 9–10). Temporary labor migrants can extend their stay in Hong Kong if they continue to meet a need at the time their contract expires, although domestic workers must remain with their original employer (Hong Kong Immigration Department 2014). In Thailand, registered migrant workers from Myanmar, Laos, and Cambodia can use the in-country verification process to obtain a one-year work permit, although citizens of Myanmar without valid identity documents must first return home before receiving one (IOM 2014). Malaysian work visas are valid for twelve months and can be renewed annually by the employer for a maximum of ten years (Immigration Department of Malaysia 2015). Singapore uses a similar system, under which visas are initially valid for up to two years (Singapore Ministry of Manpower 2015a). The maximum duration of an individual's stay depends on the

sector, the nationality of the worker, and his or her level of skill (Singapore Ministry of Manpower 2015b).

But while policies on visa extensions vary, no Asian destination country facilitates the *transfer to a new employer*. Under Malaysia's work permit system, migrant workers are not allowed to leave the employer stipulated in their contract, and visas are automatically canceled with the termination of employment, whether or not the termination was lawful (Immigration Department of Malaysia 2015). In other countries, workers are permitted to change employers in a limited range of circumstances, though it is often difficult to exercise that right where it exists. In Singapore, low-skilled workers can change jobs with their employer's consent. As in Malaysia, however, employers have the right to cancel an employment contract at any time without cause, resulting in the immediate cancellation of a work permit (Singapore Ministry of Manpower 2015d). Migrant workers employed through South Korea's Employment Permit System may also change jobs if they obtain a release form signed by their current employer. But to avoid deportation they must find a new position within three months (Seo and Skelton 2017). Under Taiwan's Employment Service Act, a foreign worker employed in the marine or construction sectors, domestic work, or nursing may be granted permission to change employers for a prescribed number of reasons, including the death or emigration of the original employer, the nonpayment of wages, or evidence of physical or psychological abuse (Taiwan Ministry of Labor 2015). In Hong Kong, the only temporary labor migrants who are permitted to change employers during the course of a contract are domestic workers, but they may do so only in exceptional circumstances (Hong Kong Immigration Department 2014, 2015b).

As with border controls, the extent to which the inability to change employers affects the lived experiences of temporary labor migrants depends greatly on monitoring and enforcement of visa stipulations. The Singaporean government is perhaps the most diligent in enforcing visa conditions, requiring security bonds from employers; they must notify the government within a week if a worker is fired or goes missing, or risk fines of up to SGD 10,000 (Singapore Ministry of Manpower 2015c). This threat encourages employers to monitor workers' activities closely. In the case of domestic workers, it sometimes results in what is effectively a form of house arrest involving restrictions not only on their movements but even on their use of mobile phones (Platt et al. 2016). Other countries aspire to these levels of control, but often fall short.

Implications for Migrant Workers

Asia's destination-country labor migration regimes limit low- and semi-skilled workers' capacity to maximize the opportunities of working abroad by imposing

limits on the countries where they can work, the time they can spend in those countries, and the occupations they can take up. They also determine the extent to which migrant workers can seek redress for violations of their contract conditions or extricate themselves from exploitative situations. It is not surprising, then, that migrant labor activists argue that temporary labor migrants would have a better chance of avoiding exploitation if the complexity and rigidity of contracts were reduced, (NGO staff and migrant worker activists, interviews, various years).

Changes in destination-country labor migration policies certainly improve the situation of migrant workers, but piecemeal measures bring limited benefit. For example, revisions were made to Japan's Immigration Control Act in 2007 to address some of the worst excesses of the trainee system, including the use of double contracts, the "sharing" or "renting" of trainees to other businesses, and human rights abuses (Gaikokujin rōdōsha mondai to korekara no nihon henshūiinkai 2009). The act was revised again in 2009, replacing the trainee and technical internship categories with a new visa category called "on the job trainee," under which foreign workers are protected by the Labor Standards Act and the Minimum Wage Act after completing a two-month training program. However, the impact of these amendments has been at best limited: workers are still only allowed to work for the employer specified on their work permit, and migrants approaching a Local Labor Standards Bureau to report breaches of their contracts risk dismissal and immediate deportation (Bhattacharjee 2014).

Moreover, legislative or policy reform is necessary but not sufficient in cases where exploitation and abuse are prevalent, since legislative and policy requirements are only meaningful if enforced. Exploitation of disadvantaged groups of workers is common even in formal sector workplaces, as evidenced in Malaysia's electronics factories (Bormann, Krishnan, and Neuner 2010) and Japan's health care facilities (Ford and Kawashima 2013). It is even more likely when migration policy mandates the employment of temporary labor migrants in informal or semi-formal occupations, which are at best only partially regulated by industrial relations processes and mechanisms. Such occupations, moreover, are much less likely than formal sector occupations to be unionized, meaning that there is even less chance of pressuring employers to comply with prevailing labor standards.

Employment Relations Regimes

A country's industrial relations system consists of a regulatory framework and a series of norms (for example, the principle of equal pay for equal work), institutions (such as industrial courts, wages councils, unions, and employer associations) and processes (for example, arbitration) that regulate the employer–employee

relationship. This system sits at the heart of any employment relations regime. In theory, employment relations in formal sector occupations are fully regulated, and formal sector workers can seek redress through the industrial relations system if their rights are violated. If a country recognizes the principle of freedom of association, workers are also permitted to unionize and so be represented in national industrial relations institutions or engage in collective bargaining within the workplace. In practice, however, even formal sector workplaces may have no union presence and be subject to little or no regulatory oversight by government, which in turn means that workers may have only limited ability to exercise these rights.

The major elements of the employment relations regime as it pertains to migrant workers are the reach of the industrial relations system, the degree of union influence in the industrial and political realms, and the extent to which freedom of association is available to temporary labor migrants. The first element includes the degree to which migrant-dense sectors are incorporated into the formal industrial relations system and the presence of unions in those sectors. This element overlaps with the level of influence that unions—as recognized representatives of worker interest in the industrial sphere—have on industrial relations policy and practice. Influence, in turn, is determined in large part by unions' militancy and the position they occupy in their country's industrial relations system. Finally, it is important to consider the extent of freedom of association available to temporary labor migrants (see table 3).

Just as there is significant variation in the composition of a region's labor migration regimes, employment relations regimes are also quite diverse. As table 3

TABLE 3. Variation in employment relations regimes

	REACH OF INDUSTRIAL RELATIONS SYSTEM		UNION INFLUENCE		FREEDOM OF ASSOCIATION	
COUNTRY	SYSTEM COVERAGE OF MIGRANT-DENSE SECTORS	MAINSTREAM UNION PRESENCE IN MIGRANT-DENSE SECTORS	INTEGRATION INTO THE INDUSTRIAL RELATIONS SYSTEM	UNION MILITANCY	ABILITY OF MIGRANTS TO JOIN MAIN-STREAM UNIONS	ABILITY OF MIGRANTS TO FORM OWN UNIONS
Hong Kong	High	Low	Low	Medium	Low	Yes
Japan	High	High	High	Medium	Low	No
Malaysia	Low	Medium	Low	Low	Medium	No
Singapore	Medium	High	High	Low	High	No
South Korea	Medium	High	Medium	High	Medium	Yes
Taiwan	Medium	High	Medium	Low	Low	Yes
Thailand	Low	Medium	Low	Low	Low	No

indicates, countries differ in the structures of their industrial relations systems, the role of unions within those systems and in the broader society, and the extent to which those unions engage with migrant workers.

Reach of the Industrial Relations System

Temporary labor migrants' capacity to access their labor rights is constrained by the extent to which the industrial relations system covers the sectors in which they work and the capacity of government agencies to enforce compliance. By definition, compliance is more easily enforced in the formal sector, which is considerably more established in Asia's destination countries than in its countries of origin.[11] However, large numbers of foreign workers—irregular and regular—are employed in informal sector occupations, where conditions of employment are unregulated even for local workers. The most visible group in this category comprises live-in foreign domestic workers. Since this group is largely excluded from destination-country industrial relations systems, its members rarely have access to a union. Indeed, although domestic workers are closely controlled from a migration perspective in all seven countries, it is only in Hong Kong that they are recognized as workers. Even there, it is nearly impossible for government officials to monitor their conditions of work (Palmer 2013). Singapore, Malaysia, and Taiwan also admit large numbers of foreign domestic or home-based care workers. However, they are not covered by the labor law and are thus not permitted to unionize. As a result, they have little chance of recourse except in cases of serious physical abuse (Ford 2007; Loveband 2006; Yeoh, Huang, and Rahman 2005).

In contrast to foreign domestic workers, temporary labor migrants employed in informal sector occupations such as petty trade and some forms of agricultural work are recognized as workers. But, since these occupations are effectively unregulated, those employed in them—local or foreign—have little access to unions. Equally important, but perhaps less obvious, is the fact that when migrant workers find work in the formal sector, it is in segments of that sector that are little touched by industrial relations mechanisms and processes. Across the region, large swathes of the economy, including migrant-dense sectors such as construction, are nominally covered by the industrial relations system, but are in practice subject to minimal regulation or oversight. Among those least subject to regulation are fishermen on Taiwanese-owned commercial fishing trawlers, who are typically recruited from countries such as the Philippines, Indonesia, and Myanmar on the basis of false information about work conditions. They may begin work expecting to spend only limited amounts of time aboard ship, only to find that their vessel remains at sea for more than a year at time (Wise 2013, 439). But

even in manufacturing, where employment relations are relatively formalized, temporary labor migrants may be employed in enterprises that escape regulatory oversight. For example, temporary labor migrants admitted through South Korea's Employment Permit System are only permitted to work in small and medium-sized enterprises, which are far less likely to be subject to regulatory oversight or to have a union presence than are large enterprises (Korean Confederation of Trade Unions [KCTU] representative, interview, December 2011).

Asia is not unique in its lack of oversight. There are many opportunities to bypass prevailing regulations even in contexts where industrial relations systems are relatively strong. As Friberg et al. (2014, 40) observed in the case of Iceland, "If the regulations were observed, almost all migrant workers . . . would receive collectively agreed wages." In practice, a significant proportion of companies ignore their obligations. Not surprisingly, the challenges of implementation are far greater in much of Asia. Malaysia and Thailand have neither the ability nor the will to enforce their own labor legislation. Hong Kong, Taiwan, and South Korea have more regulated systems, but high numbers of small and medium-sized enterprises make it difficult to enforce legislation uniformly. Employment relations are more closely monitored in Japan and Singapore, but there remain systemic gaps even in these highly institutionalized contexts.

The second element of systemic reach is the *presence—or absence—of unions in migrant-dense sectors*. Union presence varies even within unionized sectors, since—like national industrial relations systems—union movements are never uniformly strong. In Thailand, for example, a garment industry dependent on Burmese temporary migrant labor developed in the border town of Mae Sot, in a region where Thai unions have no presence (Arnold 2013). Migrant workers are allowed to join a Thai union, but not to form a union of their own. Short of convincing a Thai union to establish a branch in a town where there is effectively no local workforce, it is simply not possible for these migrant workers to unionize. As a consequence, they are necessarily excluded from institutionalized forms of collective bargaining. By contrast, many of the temporary labor migrants working in Japan and South Korea are employed in manufacturing, where they are largely covered by employment law, which guarantees the freedom of association and access through unions to industrial relations mechanisms, such as collective bargaining and representation in tripartite national bodies. Union presence is nevertheless important because it is a significant determinant of the extent to which employer practices are likely to be monitored or challenged. Unions may not always play this role—particularly in contexts where they are weak or captured by management—but in their absence, the enforcement of prevailing labor laws depends on government inspections or NGO monitoring, neither of which is likely to occur on anything more than an incidental basis.

TABLE 4. Union membership density

COUNTRY	NUMBER OF UNIONS	NUMBER OF UNION MEMBERS (THOUSANDS)	NUMBER OF WAGED WORKERS (THOUSANDS)	MEMBERSHIP DENSITY (%)
Hong Kong	819	827	3,557	23.4
Japan	25,279	9,849	55,950	17.6
Malaysia	729	913	10,396	8.8
Singapore	64	719	2,963	24.2
South Korea	5,305	1,905	18,429	10.3
Taiwan	5,382	3,350	8,860	37.8
Thailand	1,536	617	18,135	3.4

Note: Figures are the latest available as of 2015 from national statistical agencies and ministries of labor. The number of waged workers in Singapore includes residents and foreign workers.

In terms of membership density, Taiwan, Singapore, and Hong Kong have the largest union presence, including in many migrant-dense sectors (see table 4). Although the relative strength of unions in different sectors has implications for their ability to engage with temporary labor migration,[12] high membership density does not guarantee an effective union presence. In some countries, unions serve a primarily symbolic purpose. This is the case both in Taiwan, where high membership density is a legacy of an authoritarian corporatist system (Minns and Tierney 2003), and in Singapore, where unions are closely controlled by the state (Barr 2000). Thus, even where unions are present in a migrant-dense sector of the economy, there is no guarantee that they can exert influence over employers on behalf of temporary labor migrants, even if they wish to do so.

Union Influence

Compared to Europe and North America, Asia's unions are weak and generally quite conservative.[13] There are, however, important differences between their levels of *engagement in the workplace*. In terms of industrial bargaining power, Japan has a relatively strong commitment to enterprise unionism, although union membership has declined dramatically since the mid-twentieth century (Benson 1996). By contrast, Hong Kong's unions have little industrial leverage because they have no right to engage in collective bargaining, and thus must rely on their ability to exert political pressure (Cheng 2014). In Singapore, membership density may be relatively high, but unions' industrial influence is relatively low. They have little role in private sector collective bargaining and instead focus on the provision of "non-collective bargaining benefits" such as discount groceries and insurance (Beng 2014, 6). Importantly, enterprise unions in Asia may not be in a

position to exercise their formal workplace rights. In Malaysia and Thailand, for example, unions' right to engage in workplace bargaining means little in the absence of a culture of workplace organizing (Crinis and Parasuraman 2016; Brown 2016).

Unions' influence at the national level is a vital factor in determining their ability to influence industrial relations policy. Influence at this level is determined by many factors, some of which are path dependent (cf. Deyo 1989). A comparison of Singapore and South Korea illustrates the impact of unions' *militancy* on the labor movement's capacity to effect policy change. Singapore is the only country in the region that currently has a stated commitment to tripartism. But under its semi-authoritarian corporatist model of government, the National Trades Union Congress (NTUC) and its affiliated unions work closely with the ruling party (Beng 2014). Singapore's unions may be integrated into the state apparatus, but their influence is exerted only within government-determined policy directions. By contrast, union density is significantly lower and unions are less well integrated into the formal industrial relations system in South Korea, but they are much more militant. This militancy has prompted repressive measures from government, including raids on the headquarters of the KCTU in 2013 resulting in the arrest of 138 people, among them its general secretary (Vogt 2015). In short, South Korean unions are not in a position to support workers in a broad range of workplaces, but they do have a relatively strong political voice.

Where they are strong, unions have both the capacity to advocate for (or against) the rights of migrant workers and the ability to make themselves heard. Even where unions are weak, a militant stance on an issue such as migration can influence government policy. For example, in the early 1990s, opposition from Hong Kong unions forced the government to scrap a plan to allow the limited importation of skilled workers from Mainland China (Hong Kong Confederation of Trade Unions [HKCTU] executive officer, interview, December 2010). Along with sectoral and enterprise unions, national unions that embrace temporary labor migrants——where they exist—must then decide whether to move beyond advocacy to service or recruit those workers.

Freedom of Association

Migrant workers' ability to exercise freedom of association or the right to strike (or stage a protest) is heavily influenced by their migration status. In all seven countries, regular temporary labor migrants employed in formal sector workplaces have the *right to join local unions*—although it is only in South Korea that union membership is open to irregular migrant workers. The capacity of temporary labor migrants to *exercise* that right is a different matter, since it is depen-

dent not only on the presence of a union prepared to engage with temporary labor migrants but also on whether barriers are imposed by immigration authorities or brokers.

In many of the region's destination countries, access to union membership is determined by the outcomes of jurisdictional contests between government agencies responsible for employment relations and those responsible for immigration. In Malaysia, temporary labor migrants working in the formal sector are allowed to join local unions, but at times their ability to do so has been limited by visa conditions (MTUC officials, interviews, August 2009). In South Korea, it has only been since 2004 that trainees have been afforded the protection of domestic labor laws, including the right to unionize and the right to accidental injury compensation, health insurance, and severance pay (Gray 2006). Although migrant workers in South Korea are protected by minimum wage and industrial accident laws and are allowed to engage in collective action, their capacity to exercise their labor rights continues to be limited by the fact that they can only change jobs with the permission of their current employers. Meanwhile, successive court rulings recognizing the labor rights of irregular migrant workers have been challenged or ignored by the executive branch of the South Korean government. Similarly, irregular migrant workers have technically enjoyed some labor law protections since 1993, when the Supreme Court ruled that all migrant workers, including those with irregular status, were entitled to severance benefits. Irregular migrant workers injured in workplace accidents have been eligible for compensation since 1994 and have been protected by the Labor Standards Act since October 1998. However, in seeking to access these protections, irregular migrant workers are forced to reveal themselves to authorities, who are then obligated to report illegal activities unless doing so would violate the human rights of the persons involved, leaving those migrants vulnerable to deportation (Migrants Trade Union [MTU] leaders, interview, December 2011).

Jurisdictional contests between the authorities responsible for labor and migration may also compromise the ability of unions to help foreign workers seek redress in cases of unscrupulous employers. Migrant workers forced to leave their jobs because of irregularities in the employment relationship are often compelled to return home before their court cases can be heard; if they are allowed to remain, they may be denied permission to continue working. In January 2000, for example, the U.S.-owned Applied Magnetics Corporation fired two thousand employees, many of them migrant workers, from its Bayan Lepas Free Industrial Zone factory in the Malaysian state of Penang. In clear breach of the prevailing labor law, workers were advised of the company's decision on returning from what they had been told was a month-long vacation while the factory's plant was being overhauled. The state labor minister met with representatives of the immigration

department of the Ministry of Home Affairs to discuss the situation of the foreign workers involved, but failed to convince them that the workers should be allowed to find new employment. The immigration department's only concession was to permit the workers to stay until their cases were heard, on the condition that they remain in their hostel, where the union provided them with food and other basic necessities. As a spokesperson for the MTUC observed, "Immigration is more powerful than the labor department because it sits under the Ministry of Home Affairs, which is a very powerful ministry" (MTUC Penang branch vice president, interview, May 2010).

The situation with regard to freedom of association is even more complicated when it comes to the *right to form migrant-only unions*. Migrant-only unions are most developed in Hong Kong, which has a long and inclusive tradition of migrant-only organizing dating to the late 1980s (migrant labor activists, interviews, November 2005 and December 2010). South Korea also has a relatively long history of migrant-only organizing: a migrant-only union was established by irregular labor migrants in 2005 (MTU leaders, interview, December 2011). In Taiwan, where migrant-only unions have been permitted since 2011, the first migrant worker union was registered in 2013 (migrant-only unionists, interviews, January 2014). In Japan, independent migrant-only unions are prohibited, but temporary labor migrants have been accommodated within the foreign worker divisions of small, geographically based unions (Hosoki 2016). By contrast, no Southeast Asian destination country allows temporary labor migrants to form their own unions, and no Southeast Asian destination country union has a migrant-only division.

Implications for Migrant Workers

As these examples attest, foreign workers' migration status cannot be considered in isolation from their labor market position and the many other factors that affect their ability to access the destination country's industrial relations processes and institutions. A poorly developed formal industrial relations system means that foreign workers have little chance of recourse if their labor rights are violated. In these circumstances, their lack of access results not from their migration status but from the fact that the employment relations regime does not protect the rights of any workers in that particular sector. Similarly, if unions are weak and/or docile, they are unlikely to be effective advocates for foreign workers' rights in the workplace, even if they allow temporary labor migrants to become union members. Even where unions are strong and/or militant, they may not have a presence in migrant-dense sectors of the economy. For example, the South Korean labor movement is much celebrated for its militancy and openness to temporary

labor migrants, leading to a perception that temporary labor migrants are well integrated into Korean unions. Yet, despite these characteristics, it becomes clear that South Korea is not as inclusive as it may at first seem. By contrast, the Singaporean union movement is widely criticized for its lack of independence from the government, but that very characteristic explains why it has followed the government's lead in opening its doors to temporary labor migrants.

Finally, regardless of their strength or industrial influence, unions actively choose whether or not to support foreign workers. Where mainstream unions are hostile to temporary labor migration, their opposition undermines both foreign workers' efforts to be treated fairly and NGO campaigns on their behalf. Where unions are sympathetic, they can add their voice to calls for better treatment of temporary labor migrants in government forums and in the public sphere, making it more difficult for governments to ignore or discount these campaigns. Unions may see benefits for local workers in the better treatment of migrant workers, may be ideologically predisposed toward universalist definitions of "the worker"—or may simply be responding to pressure from their allies at home or abroad. What is clear, however, is that there has been a distinct shift in union attitudes toward temporary labor migrants in recent decades that has facilitated unions' adoption of a positive advocacy role in all but two of the destination countries in the region.

Migrant Labor Activism

Migrant labor activism does not emerge in a vacuum. First and foremost, there must be a sufficient inflow of migrant labor to generate a mass of foreign workers large enough to act collectively or to merit the attention of local activists. The composition of those migrant inflows is also important, because it largely determines which activists respond and how. The problems that activists identify may relate to different aspects of the labor migration regime, such as the costs imposed by brokers or migrant workers' inability to change employers. They may also relate to aspects of the employment relations regime, such as poor working conditions or unpaid wages. Once a problem emerges, however, the availability of opportunities to advocate for a lasting solution is itself determined by various *structural factors*, notably government controls on civil society and the depth of civil society actors' international links (see table 5).

Within the limits imposed by these structures, migrant workers, civil society groups, and local unions *exercise agency* in deciding whether to engage with migrant labor issues and, if they do engage, in what way. Under threat of having their visas revoked, most temporary labor migrants are reluctant to challenge

TABLE 5. Migrant labor activism

	POLITICAL OPPORTUNITY STRUCTURES FOR MIGRANT LABOR ACTIVISM		NGO AND UNION ENGAGEMENT WITH LABOR MIGRATION		MIGRANT WORKER CAPACITY TO ORGANIZE AND EFFECT CHANGE	
COUNTRY	STATE CONTROLS ON CIVIL SOCIETY	INTER-NATIONAL LINKS	NGO ENGAGEMENT WITH MIGRANT LABOR	MAINSTREAM UNION ENGAGEMENT WITH MIGRANT LABOR	MIGRANT WORKER COLLECTIVE ACTION	EFFICACY OF MIGRANT-ONLY UNIONS
Hong Kong	Low	High	High	Medium	High	High
Japan	Low	Medium	Medium	Low	Low	n/a
Malaysia	Medium	High	High	High	Medium	n/a
Singapore	High	High	High	High	Low	n/a
South Korea	Medium	High	High	Medium	Medium	Medium
Taiwan	Low	Medium	High	Low	Medium	Low
Thailand	Medium	Medium	High	Medium	Medium	n/a

exploitative practices or to fight for their labor rights. Even when they choose to do so, their capacity to effect change is limited without support from local allies. Meanwhile, the fact that unions' ability—and, in many cases, willingness—to take up the cause of temporary labor migrants is limited helps explain why NGOs and faith-based groups, rather than unions, have dominated the movement for migrant worker rights in Asia.

Political Opportunity Structures for Migrant Labor Activism

The capacity of temporary labor migrants and CSOs to push for changes to elements of a destination country's labor migration or employment relations regime is determined by the *political resources* available to them. It is important to differentiate between the opportunities available to local activists seeking to advocate on temporary labor migrants' behalf and those available to temporary labor migrants themselves, since most Asian destination countries impose restrictions on their right to engage in social or political activism. The impact of such restrictions is illustrated by comparing Hong Kong and Singapore. In Singapore, temporary labor migrants' ability to engage in social or political activism is extremely limited. For example, in 2012, twenty-nine migrant Chinese bus drivers who were involved in a strike were deported, while four received prison sentences. The following year, migrant workers involved in the so-called Little India Riots had their work passes canceled and were repatriated on the grounds that they had ignored police orders to disperse (Neo 2015). In Hong Kong, by contrast, temporary labor

migrants regularly participate in public protests and demonstrations relevant to their conditions of work. Sometimes this activism relates to broader social and political issues as well, either in their country of origin or destination (Constable 2009).

Civil society groups, including NGOs and unions, also require sufficient *political space* to mobilize for change. Local civil society groups operate in a relatively favorable context in East Asian destination countries—with the exception of South Korea (Schattle 2015)—but sociopolitical controls are much stronger in Southeast Asia. In Singapore, NGOs are subject to strict external controls (Ortmann 2012). They also engage in self-censorship, with activists careful to avoid the unwritten "out of bounds" markers that would lead to their being shut down (Lyons 2000). Successive Malaysian governments have attempted to maintain similar levels of control, but have been less effective in the face of increased civil society mobilization and greater support for opposition parties (Rodan 2014). In Thailand, the space available for autonomous organizing—which expands and contracts with monotonous regularity (Hewison 2014)—again contracted in 2014 when the military once more seized control of the country.

In addition to local factors, the political resources available to NGOs, unions, and temporary labor migrants are in part determined by the extent to which they are embedded in *international networks*. Strong linkages of this type allow them to scale up their campaigns and expose them to different ideas; in many cases, they also provide access to financial support.[14] Many NGOs and some migrant worker organizations are engaged in cross-border relationships, which may be bilateral, regional, or global. A large number of the region's unions also participate in cross-border networks by virtue of their membership of the ITUC or the GUFs. Unions may, of course, also be members of cross-sectoral networks such as Migrant Forum in Asia (MFA), which actively collaborated with the GUFs in the region in the period after 2005 (field observations, July 2005 and November 2006).

Migrant Worker Capacity to Effect Change

The ability of temporary labor migrants to advocate collectively for change in the labor migration regime is limited by the precariousness of their position as migrants and as workers. Every day millions of undocumented workers face the risk of being detained or deported. Even if they have the proper documents, their status of temporary labor migrants is uncertain. While some may establish strong social networks, the capacity of others to do so is limited not only by long working hours but also by restrictions on their physical mobility. And although their pay is far better than what they could earn in their country of origin, it is often

barely enough to eke out an existence while sending some money home. Many face the added pressure of significant debt, having borrowed heavily to finance their migration. Since a falling out with an employer may mean deportation, the stakes are very high.

Yet, although temporary labor migrants face many disincentives to engaging in activism, different types of migrant-only organizing have emerged in the region's destination countries. In many cases, it takes the form of small-scale informal associations centered on places of worship or country of origin, although some associations are larger and more formal. It is important to note, however, that large-scale organizations rarely emerge without external support. Hong Kong's foreign domestic worker unions were formed with the assistance of NGOs, including the Asian Migrant Centre (AMC). In South Korea, Taiwan, and Japan, organizing efforts also began as NGO and community initiatives (Hsia 2008; Hosoki 2016; Kim 2007). Thailand's Migrant Workers Rights Network (MWRN) was established with support from the Solidarity Center and the Human Rights and Development Foundation (Conradt 2013), while Malaysia's Nepali Migrant Workers Association (NMWA) was initially formed as part of a BWI organizing initiative (BWI gender, migration, and campaigns director, interview, September 2015).[15]

In Southeast Asia, these kinds of migrant-only organizations necessarily are at the periphery of the industrial relations systems because it is not possible for them to register as unions. But even in contexts where it is possible to form migrant-only unions, their position in the broader industrial relations landscape is at best marginal. Migrant-only unions are by definition primarily focused on temporary labor migrants' interests, but it is difficult for them to influence workplace or policy outcomes unless they are integrated in some way with mainstream unions. The benefits of integration are shown most clearly in Hong Kong, where domestic workers have leveraged the capacity to register migrant-only unions *and* their connections with the HKCTU to pressure the government to implement legislative and policy protections for temporary labor migrants. Elsewhere, migrant-only unions have at best had a marginal impact on migrants' ability to influence their employment conditions at any level beyond individual cases—a fact that confirms the importance of mainstream unions' involvement in the fight for migrant worker rights.

Civil Society Engagement with Migrant Labor

Civil society groups' interest in temporary labor migration is driven by a broad range of factors, including the extent and nature of the migrant worker presence, public attitudes toward migrants, and the group's ideology and beliefs (Ford 2007).

As noted in the introduction, NGOs and faith-based groups focused initially on servicing and advocacy, providing direct assistance to victims of abuse and lobbying governments to reduce the complexity of labor migration programs and improve safeguards for temporary labor migrants. Later, some shifted their focus to organizing, initially through informal associations and then through more formal migrant worker organizations or migrant-only unions.

Migrant labor NGOs have also sought to engage with local unions, which has proved to be a challenging task. As elsewhere, unions have been traditionally hostile toward foreign migrants for fear of unfair labor market competition or sometimes because of xenophobic attitudes (Ford 2006b). Rengō, Japan's biggest union federation, opposed the entry of unskilled migrant workers to Japan during the lead-up to the 1989 revision of the Immigration Act, arguing that members' demands for higher wages would be undermined if temporary labor migrants were accepted. A quarter-century later, it continues to campaign against the widespread acceptance of migrant workers, both those who are unskilled and those arriving through economic partnership agreements (Rengō official, interview, December 2010). In 1998, the Taiwan Labor Front demonstrated outside the headquarters of the Council of Labor Affairs in Taipei, demanding the "humane" repatriation of migrant workers. Two decades later, the Chinese Federation of Labor (CFL) and the Taiwanese Confederation of Trade Unions (TCTU) remain firmly opposed to labor migration (CFL official, interview, March 2016; TCTU general secretary, interview, March 2016). Thai and Malaysian unions have also historically campaigned for the expulsion of migrant workers, whom they view as a threat not only to local jobs but also to the social order (Crinis 2004; Ford 2007). Even the HKCTU, which is arguably the region's most proactive national center on the issue of temporary labor migration, had to struggle to convince its members to embrace migrant workers: in the mid-1990s, its offices were fireballed and covered with graffiti by members unhappy with the use of union resources to help foreigners (Tang 2010).

In several cases, however, national centers and some sectoral unions have shifted their position from outright rejection to recognition of temporary labor migrants as part of their broad constituency (unionists in Hong Kong, South Korea, Malaysia, and Thailand, interviews, various years). But while changes in attitude have brought temporary migrants a welcome ally in the struggle for labor rights, attitudes toward migrants are only one part of a complex array of considerations that inform unions' strategic choices about their engagement with this category of workers (Ford 2013). Union decision-making is heavily influenced by the political, economic, and institutional contexts in which they are located. As argued earlier, these structural constraints help explain unions' reluctance to invest resources in a constituency that is necessarily transitory, especially in a

region where unions are relatively weak and heavily focused on workers in "standard" employment. However, their strategic decisions may also be influenced by their exposure and response to arguments made by NGOs or their international allies within the labor movement.

Indeed, a key factor in changing local union responses to temporary migrant labor is the influence of other organizations, be they local NGOs and their international allies or the global unions. In Japan and Taiwan, this influence has consisted primarily of pressure from local NGOs, which have acted independently of reluctant mainstream unions. As a consequence, the Japanese community unions that focus on labor migrants are in many ways more integrated into NGO networks than the mainstream union movement, and Taiwan's only migrant-only union remains isolated from mainstream unions. By contrast, Singapore's NTUC has engaged with regional civil society groupings in an attempt to demonstrate its union credentials (see, for example, MFA and NTUC 2006). In the remaining four destination countries, influence has come not only from local NGOs but also from the SSOs and the GUFs, both of which have found ways to provide financial and other kinds of support for migrant labor initiatives. It is no coincidence that while migrant-only unions also emerged in Hong Kong and South Korea through NGO initiatives, they now have strong links to a progressive national center. Importantly, mainstream unions are more likely to be influenced by changing international norms on migrant labor if they receive funding from international sources. This has been the case for the HKCTU and for national centers and sectoral unions in Malaysia, Thailand, and South Korea, though not in Japan or Taiwan.

Contesting Asia's Labor Migration Regimes

This discussion of the opportunity structures available to migrant workers and their allies in Asian destination countries, and of the agency exercised within them, sets the scene for the rest of the book. The following chapters focus on the ways in which NGO and union strategies—and the extent to which they succeed in promoting pro-migrant change—are shaped both by external influences, including the international labor movement, and by the local economic and political context. As the foregoing discussion has shown, unions' capacity to influence government policy and to engage at the workplace level to improve the wages and conditions of migrant workers is underwritten by their status as formal representatives of workers. At the same time, it is dependent on the influence and militancy of the labor movement and union coverage of migrant-dense sectors of the economy.

In the seven countries under investigation, the incentives for unions to service, organize—or even advocate on behalf of—temporary labor migrants have been limited historically. As argued here, the dominance of NGOs and faith-based organizations in this regard is largely explained by the region's labor migration and employment relations regimes. Especially important are government restrictions on the sectors in which migrants are employed and the union presence within them, the strength of the labor movement, the ability of migrants to stay for long periods of time in-country, the capacity of migrant workers to join mainstream unions, and, of course, mainstream unions' willingness to recognize them as workers and fight for their rights. As demonstrated in the next chapter, the extent and variation in NGOs' patterns of engagement with temporary labor migration in both countries of origin and destination countries have been remarkable, but their efforts to bring local unions along with them have largely failed.

2

ASIA'S MIGRANT LABOR NGOs

As the flow of temporary labor migrants began to increase during the 1970s, the difficulties faced by foreign workers—both in their home countries and in the countries in which they worked—became ever more evident to civil society activists. Of particular concern was the growing number of cases of abuse and exploitation involving Asian women employed as foreign domestic workers in the Middle East and in the wealthier countries in Asia. In response, activism on behalf of foreign domestic workers grew simultaneously in their countries of origin, such as Indonesia and the Philippines, and in Asian destination countries with large domestic worker programs, namely Hong Kong, Malaysia, and Singapore. Since most domestic workers are women, it is not surprising that activists from faith-based organizations and NGOs associated with the women's movement were the first to respond to such cases. Nor is it remarkable that they did so by focusing on the problems that foreign domestic workers experienced as vulnerable individuals rather than *as workers*. More significant is the fact that NGOs and faith-based groups—and not unions—were the ones to take the initiative in offering assistance and support to temporary labor migrants employed in formal sector occupations as well. Their emphasis on foreign workers' identity *as migrants* rather than as workers resulted in campaigns and initiatives that focused primarily on elements of the labor migration regime.

NGOs and faith-based groups have no doubt been the primary champions of migrant labor rights in different countries of origin and destination. As the discussion that follows shows, these NGOs and other civil society groups focused ini-

tially on both servicing—providing direct assistance to victims of exploitation and abuse—and advocacy—lobbying governments to reduce the complexity of labor migration programs and improve safeguards for temporary labor migrants. It was only later, in response to the frustrations they were experiencing in their policy advocacy and servicing work, that some of these groups and organizations shifted their focus. Having developed informal associations of migrant workers, they increasingly moved toward establishing migrant-only unions or engaging with the mainstream union movement.

Foreign Domestic Work as an Activist Concern

The focus on live-in foreign domestic workers in the literature on Asian labor migration reflects the importance of this group of temporary labor migrants in several countries of origin and destination. In 1976, women constituted less than 15 percent of temporary labor migration flows in the region, but by 1987, that figure had grown to around 27 percent (Lim and Oishi 1996, 86–87). Key countries of origin for foreign domestic workers in Asia are Indonesia, the Philippines, and Sri Lanka, where women have accounted for a majority of overseas contract workers for much of the time since the 1980s. Most foreign domestic workers employed in Asia find their way to Hong Kong, Malaysia, Singapore, and Taiwan. Indeed, in Hong Kong, the overwhelming majority of unskilled temporary labor migrants are domestic workers (Hong Kong Council of Social Service 2016). In Malaysia, foreign domestic workers accounted for almost one-quarter of registered temporary labor migrants in the first decade of the twenty-first century, though this figure had dropped to 7 percent by 2015 (Malaysian Economic Planning Unit 2016). In Singapore, domestic workers constitute approximately 16 percent of all temporary labor migrants, with the remainder employed in services, construction, and manufacturing (Singapore Ministry of Manpower 2015a). While formal sector workers have dominated temporary labor migration flows to Taiwan since the Employment Services Act was amended in 1992, home-based care workers have come to account for as much as 38 percent of migrant worker inflows (Ministry of Labor ROC 2016).

In Hong Kong, Malaysia, and Singapore, foreign domestic workers gained attention because of their gender and the specific vulnerabilities they experienced as a result of the nature and location of their work.[1] Particularly influential in galvanizing activism were high-profile cases of abuse, such as the case of Flor Contemplacion, a domestic worker from the Philippines executed in Singapore in 1995 for killing another domestic worker after Contemplacion's three-year-old

charge reportedly drowned in the bath (Hilsdon 2000). The case became a rallying point in the Philippines and globally, leading to the passage of the Migrant Workers and Overseas Filipinos Act in the same year (Rodriguez 2010). The equivalent case for Indonesia was that of Nirmala Bonat, a nineteen-year-old domestic worker repeatedly abused by her Malaysian employer, who scalded her with hot water and burned her with an iron. After trying to escape twice, she was finally helped by a security guard who took her to a police station to report the abuse; her employer was later arrested in 2004 (Anggraeni 2006). Graphic images of the injuries inflicted on Nirmala appeared in the Malaysian and Indonesian media, prompting widespread outrage. Although this was just one in a long list of similar incidents that garnered public attention, it was described as a "warning bell" by Indonesian civil society activists, who leveraged it in discussions of the draft Migrant Workers Law being debated at that time.[2] Cases such as these stimulated civil society responses, especially from the women's movement. In countries of origin, women's groups spearheaded campaigns demanding that their governments intervene to better prepare foreign domestic workers for their subsequent employment, negotiate with destination-country governments for better conditions, and provide support for them while abroad.[3] Feminist and faith-based activist groups in Hong Kong, Singapore, and Malaysia were also stirred to action by the abuse, sometimes of unfathomable cruelty, inflicted on these vulnerable women.

Countries of Origin

In the Philippines, NGOs have been deeply involved in public policy debates and campaigns since 1974, the year the Philippines government began promoting overseas labor migration. In the 1980s, a number of service-oriented NGOs emerged in response to the "immediate needs and problems of overseas Filipino workers and their families" at different stages of the migration cycle (Alcid 2005, 19). Policy advocacy again became a key focus in the 1990s in response to several particularly egregious cases of abuse, including the execution of Flor Contemplacion. It was also at this time that several national networks of advocacy and service organizations were formed.

By the turn of the twenty-first century, there were sixty-five migrant labor NGOs in the Philippines (AMC 2001). Some of the most prominent NGOs have links to the Catholic Church; for example, the Center for Overseas Workers, one of a number of government-accredited NGOs that conduct pre-departure seminars. Also significant are the Scalabrini Migration Center, which focuses primarily on research and advocacy, and the Episcopal Commission for Migrants and Itinerant People, which has a network of migration desks. Others have links to

the political Left, most notably Migrante, which began in the early 1990s as an initiative of several migrant labor NGOs. Following a 1996 split in the secretariat, Migrante was restructured two years later as a mass organization known as Migrante International, which now brings together more than two hundred organizations in twenty-three countries (Migrante International 2015). In addition to providing direct services to foreign workers in distress, its members engage in advocacy. They also collaborate in transnational solidarity campaigns in support of Filipino migrants who are engaged in what Rodriguez (2010, 150) describes as "wage and employment struggles." Another group of NGOs works within a human rights frame. A key example is the Center for Migrant Advocacy (CMA), which has taken part in campaigns to promote the Overseas Absentee Voting Act and the global campaign for a domestic workers convention (CMA director, interview, May 2014).[4]

Indonesia, too, is home to dozens of NGOs that take an interest in international labor migration; most of these organizations are secular.[5] Women's Solidarity for Human Rights (Solidaritas Perempuan untuk Hak Asasi Manusia) was the first migrant labor NGO to be formed; from its inception in 1990 until 1998, it focused exclusively on migrant women workers (Solidaritas Perempuan program coordinator, interview, March 1999).[6] In addition to its on-the-ground work servicing migrants and their communities, Solidaritas Perempuan was for many years the primary voice in advocacy in Indonesia. It has direct links to NGOs in destination countries and was a member of regional networks such as the Global Alliance against Trafficking in Women and Migrant Forum Asia. A number of activists from Solidaritas Perempuan have gone on to hold key positions in other organizations prominent in campaigns for the rights of Indonesian women working overseas as domestic workers. These include Wahyu Susilo, who was a driving force in the Consortium for the Defense of Indonesian Migrant Workers (Konsorsium Pembela Buruh Migran [KOPBUMI]). He subsequently played a substantial role in the establishment of Migrant Care, since the middle of the first decade of the twenty-first century Indonesia's most prominent migrant labor NGO (Ford 2006b).

Indonesian migrant labor NGOs have focused on the need for legislative and policy change in Indonesia itself, advocating for greater awareness of women's interests in negotiations over bilateral agreements and dealing with cases such as that of Nirmala Bonat. A significant number also provide education programs for prospective migrant workers and case management for returned workers; some run support groups for the families of migrant workers and those who have returned from a stint abroad. There have also been attempts to unionize prospective and returned migrant workers. Inspired by their experiences of activism in Hong Kong, a group of former migrant domestic workers established the National

Network of Migrant Workers in the early 2000s. These efforts were facilitated by KOPBUMI, which itself received financial support from the Solidarity Center.[7] The network subsequently gave birth to an organization called the Federation of Indonesian Migrant Workers Organizations, which later sought formal recognition as a union so that it could represent migrant workers in Indonesia's industrial relations system (KOPBUMI executive secretary, interview, June 2003). The Indonesian Migrant Workers Union (Serikat Buruh Migran Indonesia [SBMI]) was awarded union status in mid-2006 after it had rejected invitations to join a number of unions, large and small, because it had yet to build the necessary internal structures to protect itself against manipulation in any such partnership (SBMI president, interview, July 2005).[8]

Civil society responses to the issues faced by temporary labor migrants have been more muted in other Asian countries of origin. In Sri Lanka, as in Indonesia, the Solidarity Center was a key player in attempts to engage local unions and local NGOs in issues concerning overseas migrant labor. In addition to providing support for the union-linked Migrant Services Centre, established in 1994, the Solidarity Center in 1999 helped form the Action Network for Migrant Workers, an umbrella organization that is similar to KOPBUMI (former Solidarity Center country director for Sri Lanka, interview, April 2015). In the early years of the twenty-first century, a number of other Sri Lankan NGOs were "tangentially involved in migrant worker issues," including several research organizations, women's, and human rights groups (Gamburd 2005, 109).[9] In 2012, Migrant Forum Lanka was formed, also with support from the Solidarity Center. This umbrella organization, which brings together several NGOs with an interest in labor migration, is connected to a migrant worker organization called the Migrant Workers Front (Gunawardena 2014). In Bangladesh, a number of NGOs provide some level of legal assistance and advocacy and have established organizations for returned migrants (Afsar 2005). By contrast, attempts in India to regulate the working conditions of overseas domestic workers have largely been made by international organizations like the United Nations Development Fund for Women (UNIFEM, now part of UN Women) and overseas civil society initiatives (Yeoh, Huang, and Rahman 2005).[10]

In countries of origin across the region, then, NGOs have publicized the exploitation experienced by these women and lobbied their governments to provide safety nets for those who encounter difficulties before departure and while working abroad. Their activism has raised awareness of the high levels of exploitation, prompting the governments of those countries of origin to make significant changes to their legislative and policy frameworks, not least by enacting purpose-specific laws and equipping embassies in destination countries to provide support to those in need.[11] Some have supplemented their advocacy initia-

tives with service provision and have even engaged in organizing. In most cases, however, this work has had little impact in destination countries, with the important exception of the lead role that Filipino NGOs have played in migrant labor activism in Hong Kong.

Hong Kong

Hong Kong's first formal program dealing with migrant labor dates from 1981, when St. John's Anglican Cathedral established an outreach program, the Mission for Filipino Migrant Workers (MFMW). Since that time, MFMW has engaged in a variety of activities from pastoral care and paralegal assistance to research and advocacy (MFMW 2014). It also runs Bethune House, a women's shelter that caters to foreign domestic workers, and has been instrumental in the establishment of a number of other key migrant labor organizations, including United Filipinos in Hong Kong (UNIFIL-HK), a network that in 1985 brought together some twenty-five NGOs that monitor the working and living conditions of Filipino domestic workers (Law 2002). UNIFIL-HK subsequently helped Indonesians, Sri Lankans, and Indians to organize independent domestic worker groups, which in 1996 led to the establishment of the Asian Migrants Coordinating Body (AMCB) (UNIFIL-HK n.d.).[12]

AMCB engages in advocacy, organizing, networking, and education and has spearheaded campaigns on issues ranging from fees imposed on domestic workers by the Philippines government to changes to Hong Kong immigration policies and increases in its minimum wage for domestic workers (Law 2002, 212).[13] Its member organizations include the Far East Overseas Nepalese Association, the Association of Sri Lankans in Hong Kong, the Association of Indonesian Migrant Workers in Hong Kong (Asosiasi Tenaga Kerja Indonesia–Hong Kong [ATKI-HK]), the Thai Regional Alliance, the Friends of Thai, and the Filipino Migrant Workers Union (FMWU) (Hsia 2009, 119). Perhaps its most influential member organization is ATKI-HK, which was established in late 2000 by a group of Indonesian domestic workers who sought shelter at Bethune House after running away from their employers (MFMW 2013).[14] AKTI-HK's initial aim was to organize and provide training to Indonesian migrant workers, but it later became involved in providing legal aid, as well as facilitating cultural and educational activities (interview with ATKI-HK chairperson, November 2005). AKTI-HK, which subsequently established an office in Indonesia and another in Macau, has collaborated in a number of ad hoc alliances involving other Hong Kong-based Indonesian migrant worker groups (Sim 2003; Sim and Wee 2009).

Another key Filipino-dominated migrant labor NGO in Hong Kong is AMC, which operates quite separately from the tight-knit cluster of NGOs and

migrant worker organizations under AMCB's auspices. Formally registered in 1991, AMC also initially served Filipino domestic workers before gradually extending its support to migrants from other countries. In its first five years, it focused on counseling. It then shifted its focus in the mid-1990s to economic empowerment and organizing in an attempt to establish a clearer division of labor among migrant labor NGOs (AMC executive director, interview, October 2015). In its current form, AMC describes itself as a "learning and knowledge centre" that focuses on channeling information and conducting research and monitoring (AMC n.d.-b). It has four functions: collating migrant human rights country reports, developing savings programs and social enterprises for migrant workers, running a foreign domestic worker program, and providing support for the Mekong Migration Network (MMN) (AMC n.d.-a). As part of its program, AMC encourages foreign domestic workers to form their own grassroots organizations, with the aim of their eventually being registered as unions. Indeed, it claims to have "pioneered" advocacy and organizing work among foreign domestic workers with the formation of the Asian Domestic Workers Union (ADWU) in the late 1980s, before it formally registered as an NGO (AMC n.d.-b). It has also raised funds for the Indonesian Group Hong Kong, which later became the Indonesian Migrant Workers Union (IMWU).

Collectively, these NGOs and the migrant worker unions they sponsored have successfully leveraged Hong Kong's relatively open employment relations regime to promote substantive change in elements of its labor migration regime. As part of this strategy, NGOs engaged systematically with progressive mainstream union leaders and their partners in the international labor movement. This tactic not only bore fruit in Hong Kong itself but also provided models for NGOs in other destination countries and laid the foundations for an innovative regional partnership between MFA and the GUFs.

Singapore

As elsewhere in Asia, faith-based organizations in Singapore played an important role in the initial stages of activism on behalf of foreign domestic workers. One of the first to offer support to migrant workers was the Catholic Centre for Foreign Workers, which advocated for higher wages, social security benefits, job security, and improved employment conditions for all foreign workers (Mauzy and Milne 2002). It was closed after the government arrested and detained twenty-two activists, sixteen of whom were associated with the Catholic Centre, in the mid-1980s, following allegations that Catholic organizations were "a cover for political agitation" and were secretly aiming to "radicalize student and Christian activists" (Haas 1989, 59). Despite ongoing hostility on the part of the govern-

ment, two migrant support organizations—the Archdiocesan Commission for the Pastoral Care of Migrants and Itinerant People and the St. Francis Workers Centre—were established in the following decade: both were not only faith-based but indeed Catholic.

Although faith-based migrant worker support organizations have a longer history, the most influential migrant worker NGOs in Singapore are both at least nominally secular.[15] Established in 2003 and registered in the following year, Transient Workers Count Too (TWC2) began as an advocacy-oriented organization concerned with foreign domestic workers' rights, reflecting its ties to the Singaporean women's movement. Over time, it has expanded beyond its original advocacy remit to engage in research and direct service provision and broadened its focus from foreign domestic workers to temporary labor migrants in general. Since December 2006, TWC2 has run a telephone helpline to assist migrant workers with a range of issues, including psychological or physical abuse and nonpayment of wages (Lyons 2009). Two years later, it established a free food program for male temporary labor migrants, after the TWC2 helpline manager organized a visit to Cuff Road, where homeless Indian migrant workers were sleeping. This experience prompted activists from TWC2 and another NGO to approach a restaurant owner in the area and arrange for the service of first breakfast, and then breakfast and dinner, to South Asian migrant workers (TWC2 2009). By 2013, the Cuff Road Project was serving meals to an average of two hundred migrant workers each day, accounting for close to half of TWC2's entire budget (TWC2 2014). Indeed, most of its activities now focus on men, a shift that reflects a conscious decision to maximize the impact of its services by ensuring that it touches as many migrant workers as possible. As noted by TWC2's then-president, "If a foreign domestic worker rings up, she is on her own. If a man calls up, there are usually 20 to 30 other people in the same position" (interview, March 2010). Even with this shift in focus, however, addressing the concerns of female migrant workers remains an important part of TWC2's work.

Like TWC2, the Humanitarian Organization for Migration Economics (HOME) was registered in 2004. It was established by Bridget Lew, a former coordinator of the Archdiocesan Commission for the Pastoral Care of Migrants and Itinerant People, to assist migrant domestic workers, and for many years it maintained a strong emphasis on women. HOME now deals with all kinds of migrant workers, but its primary focus continues to be on service provision in the form of shelters for male and female migrant workers. It also runs two help desks and two hotlines, one specifically for foreign domestic workers and the other for all migrant workers (Lyons 2009). Over time, it has become increasingly involved in advocacy, conducting public education campaigns on issues affecting migrant workers and holding dialogue sessions with policymakers (HOME president,

interview, March 2010). It ultimately became involved in organizing work outside the structures of the state-sponsored union—although this was swiftly dealt with by the government, which saw HOME as crossing the "out of bounds" markers imposed on Singaporean NGOs, and put pressure on HOME to step back from its organizing work.

Despite the difficult circumstances in which they operate, these NGOs have not only supported individual migrant workers but have also successfully advocated for legislative reform. As Neo (2015, 161) argues, amendments to Singapore's Employment of Foreign Manpower Act in 2012 were "largely a result of persistent and effective civil society mobilization." In January 2013, following a coordinated campaign by TWC2, HOME, and the Singapore branch of UNIFEM, a regulation was introduced mandating a compulsory weekly rest day for foreign domestic workers (Ford and Lyons 2016). These NGOs have even collaborated on occasion with the government-linked NTUC. Achieving deeper change, for example through the recognition of domestic workers as workers, has nevertheless remained beyond their reach.

Malaysia

In neighboring Malaysia, there are more than a dozen NGOs involved in some way with labor migrants; most are located in and around Kuala Lumpur or Penang. Despite the large numbers of regular and irregular migrants in the state of Sabah, no migrant labor NGO has a permanent presence in eastern Malaysia; however, some Kuala Lumpur-based NGOs took an interest in Sabah around 2002, when 140,000 irregular labor migrants were forcibly returned to the Indonesian island of Nunukan, resulting in a human rights crisis.[16]

While migrants have always worked in Malaysia in a wide variety of sectors, it was initially female domestic workers who attracted the most attention from civil society groups. An early entrant to the field was the Women's Aid Organization (WAO) established in 1982, which addresses violence against women. Since taking on its first domestic worker case in 1988, WAO has offered shelter and legal representation to foreign domestic workers as part of its broader program of activism on women's issues. Beginning in 1995, it also became engaged in advocacy work, mounting campaigns for a fair standard contract and permission to work for domestic workers while awaiting court consideration of labor disputes (WAO program officer, interview, June 2008).

More influential has been Tenaganita, for decades Malaysia's most prominent migrant labor NGO. Formed in 1991 by Irene Fernandez, Tenaganita was established to promote the rights of women workers in free trade zones and on plantations (Tenaganita director, interview, February 2007). As the number of

Indonesian domestic workers increased, Tenaganita turned its attention to this constituency, establishing a dedicated domestic worker program in 1994. At first, the focus was on case management and advocacy work—intervening when workers were arrested, initiating court cases to demand back payment of wages for documented workers, and engaging with the Malaysian government on issues ranging from legislative reform to the treatment of migrant workers. Since 2003, Tenaganita has encouraged foreign workers from diverse national backgrounds in a diverse range of occupations to organize, supporting the establishment of nationally or ethnically based migrant worker associations (Tenaganita program officer, interview, June 2008). It also provides a legal home, based in Penang, for an independent program combating human trafficking among Vietnamese factory workers, both men and women (Tenaganita Penang representative, interview, May 2010). This activity reflects Tenaganita's strong focus since the middle of the first decade of the twenty-first century on labor migration as a form of human trafficking, a frame that has proven to be effective when engaging with the state (Tenaganita's anti-trafficking program coordinator, interview, June 2008).[17]

The other NGO that focuses exclusively on migrant labor is the Malaysian branch of the Indonesia-based Migrant Care. While Migrant Care Malaysia's services are open to Indonesian migrant workers in all sectors and in theory do not discriminate between documented and undocumented workers, in practice its activities focus mostly on foreign domestic workers. Most of its work involves general advocacy and direct lobbying of migrant-friendly politicians. Its country officer, Alex Ong, also refers migrant workers to local NGOs and provides Indonesian activists with information on conditions experienced by Indonesian workers in Malaysia (Migrant Care's country officer, interviews, February 2007 and April 2010).

While Tenaganita and Migrant Care are the only NGOs that deal specifically with temporary labor migration, several human rights organizations have demonstrated a sustained interest in this and related issues. A key example is the Voice of the Malaysian People (Suara Rakyat Malaysia [SUARAM]), an NGO with a broad concern for human rights that became active on migrant labor issues in the early 1990s. Although it has experimented with migrant organizing (Gurowitz 2000), SUARAM engages primarily in advocacy, strongly criticizing the government for its treatment of migrant workers (SUARAM board member, interview, February 2007). The Bar Council of Malaysia has also had some involvement with migrant worker rights. In 2005, inspired by a Law Asia campaign on migration, it established a subcommittee on Migrants, Refugees, and Immigration Affairs and began to advocate on behalf of migrant workers in the Malaysian Peninsula. The subcommittee does not offer legal support to individual migrant workers, but it devotes considerable resources to lobbying stakeholders and government

ministers on behalf of migrant workers (Bar Council chief executive officer, interview, August 2009).

At the other end of the spectrum are a number of faith-based, service-oriented NGOs that deal with refugees and irregular migrant workers. One such organization is the Penang Office for Human Development (POHD), which houses a Ministry with Migrant Workers. Established in 2002, the ministry's two full-time staff and volunteers initially provided paralegal advice, medical assistance and basic necessities, counseling, and Catholic pastoral services to migrant workers, regardless of their legal status. It also ran training programs and encouraged migrant worker communities to organize activities such as cultural celebrations (POHD n.d.). Although the group continued to participate actively in migrant labor NGO networks (including one it had helped establish in northern Malaysia), beginning in 2007 it shifted its focus from direct service provision to equipping individual Catholic parishes to respond to migrant needs (POHD executive director, interview, May 2010). Another organization in this category—also Catholic—is the Kuala Lumpur-based A Call to Serve (ACTS), which since 2003 has provided aid to refugees with the assistance of volunteers from the Catholic Doctors Guild. While it focuses on the provision of medical care, ACTS also offers vocational training for women and classes for children (ACTS director, interview, February 2007). Like many of the faith-based groups involved with refugees in Malaysia, ACTS consciously maintains a low profile to avoid jeopardizing its positive relationship with the authorities, which is necessary to maintain access to detention centers. While this imperative limits the group's capacity to engage in advocacy, ACTS has nevertheless engaged in some work in this area.

Significant tensions exist between the faith-based service-oriented NGOs, whose work with refugees and irregular labor migrants depends on maintaining good relations with government agencies, and NGOs that focus on policy advocacy or combine that focus with servicing.[18] "Idealistic" NGOs like Tenaganita and SUARAM stand out as vocal critics of the mistreatment of migrant workers and refugees. In contrast, activists in the more "pragmatic" service-oriented NGOs believe that it is both easier and more appropriate to lobby for basic rights, such as the right to health care and to fair treatment on arrest, than to make controversial claims for the right to work without official documents (interviews, February 2007). Yet despite these different approaches, these organizations came together in 2006 to form a national network called the Migrant Working Group (MWG). In addition to the organizations described here, the network's members include the National Human Rights Society, the Labor Resource Center, Amnesty International Malaysia, All Women's Action Society, Shelter, and the Legal Aid Center (Kuala Lumpur). While its members' agendas and approaches vary dramatically, they share a belief that the most appropriate long-term strategy is

advocacy for increased access to the right to work. This involves broadening the scope of regular labor migration, establishing mechanisms to help migrant workers maintain regular immigration status, and the regularization of irregular labor migrants (MWG convener, interview, January 2007). In practice, however, MWG's activities are limited to information sharing and a small number of joint advocacy initiatives, which have gained little traction with the government (MWG coordinator, interview, June 2014).

Implications

The activities of migrant labor NGOs have had a significant effect in Hong Kong, Singapore, and Malaysia, raising public awareness, assisting individual foreign domestic workers through the provision of services, and at times causing governments to adjust—or at the very least attempt to justify—their policies. Yet despite high levels of commitment to improve the lot of migrant workers in all three countries, the nature of activists' interventions and their capacity to effect change, along with the risks in attempting to do so, differ greatly from one country to another as a result of the different opportunity structures in each country's labor migration and employment relations regimes.

At one end of the spectrum is Singapore, where migrant workers are well represented in mainstream unions, but have no opportunity to organize separately from them or to otherwise influence the labor migration regime. The capacity of migrant labor NGOs to act on behalf of foreign domestic workers is also limited by the strict controls imposed on civil society groups. HOME and TWC2 have struggled to effect change in government policy without incurring the wrath of the state. Until the middle of the first decade of the twenty-first century, TWC2 consciously sought to avoid confrontation by describing the abuse of foreign domestic workers as a moral failure on the part of employers, rather than as a failure of the state to guarantee their human and labor rights (TWC2 activist, interview, December 2006). In 2012, HOME disrupted its previously good working relationship with the government, which included collaboration with the Ministry of Manpower, when it not only engaged with Chinese construction workers involved in a pay dispute but also supported 100 Bangladeshi construction workers staging a sit-in over unpaid wages and organized a group of Chinese female factory workers demanding an increase in wages and reduced working hours. As noted earlier, HOME's support for these protests came at a great cost, attracting censure from the Ministry of Manpower and ultimately the resignation of HOME's executive director (Bal 2015, 237).[19]

In Malaysia, too, migrant workers have no opportunity to establish recognized migrant-only unions, although the government's capacity to prevent them from

organizing informally is more limited than in Singapore. In addition, migrant labor NGO activists have been more strident than their Singaporean counterparts, taking serious risks in their adoption of a more militant stance. Tenaganita's longtime director, Irene Fernandez, was arrested and charged in 1996 under the Printing Presses and Publications Act after the organization released a report on migrant detention centers (Gurowitz 2000). After a protracted trial, Fernandez was sentenced to one year in prison in 2003 (Chin 2005), but was released on bail pending appeal. Although her sentence was eventually overturned, she continued to endure a difficult relationship with the government until her death in 2014. Fernandez's treatment served as a warning to other activists, the majority of whom were understandably not willing to take the same risks, choosing instead to tread more carefully in their relationship with government.

At the other end of the spectrum is Hong Kong, where the openness of civil society has allowed foreign domestic workers and migrant labor activists, many of them noncitizens, to openly campaign for better wages and working conditions on the streets. Hong Kong is the only country in Asia that recognizes domestic workers as workers, providing them with coverage under the labor law and access to the right to organize and register as a union. This capacity—in conjunction with high levels of regularity among temporary labor migrants—has meant that this migrant-dense sector is covered by the industrial relations system and has a strong union presence, despite a weak union movement in Hong Kong overall. In addition, the history and structure of the union movement have made it possible for migrant labor NGOs to build relationships with progressive elements of the mainstream labor movement, ensuring that migrant-only domestic worker unions are integrated into the industrial relations system.[20]

Beyond Foreign Domestic Workers

Migrant labor activism in Hong Kong, Singapore, and Malaysia has focused predominantly on foreign domestic workers because of their particular vulnerabilities and their visibility at a particular time in the development of those countries' activist landscapes. By contrast, activist responses in Japan, South Korea, Taiwan, and Thailand have been dominated by efforts to support workers in formal and semiformal sector occupations, such as manufacturing, construction, and hospitality. Mainstream unions have a presence in at least some of these sectors in all four countries, but they have been slow to open their doors to temporary labor migrants. Essentially, this stance reflected unionists' belief that temporary labor migrants are a threat to local workers, rather than part of their constituency. However, it was also related to the challenges associated with the recruitment and

retention of foreign workers who are in-country for a prescribed length of time on limited-term visas and are fearful of jeopardizing their employment status. As a consequence, it was NGOs and faith-based groups—and not unions—that also first sought to assist temporary labor migrants employed in formal sector occupations in these countries.

Taiwan

In Taiwan, activists' focus on the formal sector is explained by the historical composition of migrant labor inflows, which were initially dominated by formal sector workers. As the volume of temporary migration increased, several faith-based NGOs that had previously focused on helping marginalized Taiwanese workers began to expand their services to foreigners. By the middle of the first decade of the twenty-first century, about twenty organizations were offering some support for migrant workers, of which a handful—mostly faith-based groups—offered systematic assistance to migrants (Lan 2005).

One of the first NGOs to engage with temporary labor migrants was the Hope Workers' Center, which was established in 1986 to provide services to internal migrants who had moved to the city of Zhongli for work (Hope staff member, interview, February 2014). The center extended its services to Filipino and Thai guest workers beginning in 1993. Later entirely funded by members of the local Filipino church, it provides assistance in conflicts between employers and workers, as well as in cases of human trafficking and physical abuse. Like Hope, the Presbyterian Labor Concern Center (PLCC) in Kaohsiung was founded in the late 1980s to assist marginalized Taiwanese workers. It extended its support to foreign workers starting in 1998 when some began attending a Presbyterian church located near an export processing zone. Since this time, the center has evolved to concentrate on migrant workers, particularly on mediating conflicts between employers and workers. It also manages two buildings where runaway migrant workers can be sheltered from employers, a service that was particularly important before legislation was passed in 2011 permitting migrant workers to change employers in a limited number of circumstances (PLCC director, interview, January 2014).

There are also a number of secular organizations that support migrant workers in Taiwan. The most prominent such NGO, the Taiwan International Workers Association (TIWA), was established in 1999 by a group of local labor activists in response to faith-based organizations' reluctance to engage in political advocacy. In 2002, it received a government contract to run a migrant labor center that provided shelter for migrant workers. The contract was terminated when the director of the Taipei City Labor Bureau, a former labor activist, was replaced

by a more conservative successor (Wuo 2010), but the association remains actively engaged in campaigning for the human rights of international workers. In addition to casework, its activities include grassroots awareness raising, as well as advocacy work including high-profile public protests (TIWA secretary general, interview, January 2014). Another secular migrant worker NGO of note is the Haohao Women's Foundation, which was established in 2008 in Pingtung. As with other migrant support organizations in Taiwan, the remit of Haohao Women's Foundation has changed over time. After offering skills development classes to the spouses of Southeast Asian migrant workers, it went on to employ three of the class attendees as social workers to provide services to migrant workers. The organization currently offers services to male and female migrant workers, most often assisting in cases of unpaid overtime and human trafficking (Haohao Women's Foundation staff member, interview, December 2013).

Faith-based groups and secular migrant labor NGOs in Taiwan have an established history of collaboration. The Hope Workers' Center, the Hsinchu Migrant Workers' Concern Centre, and the Vietnamese Migrant Workers and Brides Office (VMWBO) are all Catholic organizations located in the same diocese and thus are natural partners. Hope and VMWBO also report occasional collaboration with TIWA (VMWBO director, interview, January 2014; Hope staff member, interview, February 2014). The Haohao Women's Foundation works closely with the PLCC in Kaohsiung (Haohao staff member, interview, December 2013). PLCC, VMWBO, and TIWA are all members of the Migrant Empowerment Network in Taiwan, a network of thirteen organizations that focuses on advocacy work. Another network—the Alliance for Human Rights Legislation for Immigrants and Migrants—was founded in 2003 in response to the government's plans to establish a National Immigration Agency to identify and deport migrants deemed to be threatening the national security or acting in violation of the public interest (Hsia 2008). Founding members of the alliance included the Awakening Foundation, TransAsia Sisters Association Taiwan, Taiwan Association for Human Rights, Women Labor Rights Association, and Rerum Novarum. While much of the focus of the alliance has been on foreign brides, its lobbying effort resulted in the passage of amendments to the Immigration Act in late 2007 to allow foreigners to participate in assemblies and rallies (Hsia 2008), a development of great significance for temporary labor migrants.

Japan

As in Hong Kong, faith-based organizations have a strong presence in Japan, in part because many migrant workers from the Philippines and elsewhere are

Christian (Suzuki 2009). Among the oldest of these organizations are the Association in Kotobuki for Solidarity with Migrant Workers, Asian Laborers Solidarity, and the Asian People's Friendship Society (Suzuki 2009), all of which were established in 1987. Solidarity with Migrant Workers is a Protestant organization that provides weekly consultations on labor issues, as well as Japanese-language classes for migrant workers (FEW 2011; Shipper 2006). Asian Laborers Solidarity was formed by Catholic clergy, unionists, lawyers, journalists, and others to offer services to migrant workers; it provides a twenty-four-hour hotline, temporary shelter, language classes, and legal referrals. The Asian People's Friendship Society also began offering activities such as language classes, but went on to provide advice to migrant workers on labor issues and later to lobby the government for the better treatment of foreign workers. Its efforts culminated in the sponsorship in 2007 of a small union focused primarily on foreign workers (Shipper 2004, 2012).

Several of these organizations were brought together in an eighty-member network called the Solidarity Network with Migrants Japan (SMJ), which evolved out of the Forum on Asian Immigrant Workers, an association formed in 1987 to promote communication among organizations involved in assisting migrants (Kremers 2014). SMJ's official launch in 1997 saw the expansion of its activities from service provision to advocacy (Hosoki 2016).[21] It advocates for the regularization of undocumented migrants at the national level, organizes conferences, and publishes books and periodicals on migrant rights. It has also been involved in human rights forums at the international level, participating in the United Nations Human Rights Council in 2012 and the Global Forum on Migration and Development (SMJ 2013), an annual intergovernmental initiative mooted at the United Nations High Level Dialogue on Migration and Development in 2006 and held for the first time in 2007.[22]

SMJ takes a broad view in its engagement with foreigners, focusing also on women who come to Japan as international marriage partners and on the children of migrants (Asian People's Friendship Society Union [APFSU] chairperson, interview, December 2010). It has also taken an interest in temporary migrant labor. In 2007, it supported the formation of a single-issue migrant labor advocacy organization called Advocacy Network for Foreign Trainees (ANFT), which by 2008 had fourteen member organizations. Although formally distinct, SMJ and ANFT are closely linked. The secretary general of SMJ—who is also the secretary general of the Zentōitsu Workers Union—is actively involved in the ANFT, which shares infrastructure and personnel with the union (Kremers 2014). As well as dealing with cases brought by workers, the ANFT engages in dialogue with the government and advocates for improvements to the country's trainee system (SMJ 2013, n.d.).

South Korea

Migrant labor activism in South Korea—a country that, like Japan, has been resistant to temporary labor migration—was also initially driven by faith-based, service-oriented groups, most of which were associated with Catholic and Protestant churches. Key organizations were the Archdiocese of Seoul's Labor Pastoral Center, the Labor Human Rights Center, and the Citizens' Coalition for Economic Justice. The Archdiocese of Seoul's Labor Pastoral Center, established in 1979, is a counseling center that initially serviced only local workers but then expanded to support foreign workers, including those who were undocumented. The Citizens' Coalition for Economic Justice, founded in 1989 by Reverend Kyung-Suk Soh, became involved in migrant worker issues after being approached by a group of migrants who were looking for support. The Labor Human Rights Center began working with temporary labor migrants in 1992, and was one of the first organizations to argue for a Foreign Worker Protection Law. Following a series of high-profile protests at the conditions experienced by noncitizens employed as trainees, the number of NGOs involved with migrant workers increased, and by the early 2000s there were some 150 organizations supporting migrants in South Korea, around 70 percent of which were Christian groups (Lim 2003, 438).

South Korean NGOs' focus on foreign workers intensified with the introduction of the Industrial and Technical Trainee Program in the early 1990s, which sparked a range of protests, including sit-ins and strikes, against conditions experienced by noncitizens who were employed as trainees. A more coherent movement for migrant worker rights began in 1995, in the wake of the occupation of the Myeong-Dong cathedral in Seoul by a group of thirteen Nepalese trainees demanding full payment of six months' overdue wages and overtime work, a prohibition on inhumane treatment, and an end to violence from their employers (Lee 2005).[23] The plight of these workers attracted the sympathy of civil society organizations and the general public, forcing officials to agree to measures that included a prohibition on employers holding passports, the right to change workplaces, and guarantees of free movement, as well as measures to outlaw overtime without consent and to ensure the direct payment of wages, the provision of industrial accident compensation and medical care, payment of overdue wages, and the establishment of a mechanism for the reporting of complaints (Kim 2012, 682).

The Myeong Dong cathedral incident prompted NGOs to come together in 1995 to form the Joint Committee on Migrants in Korea (JCMK), the oldest network in the migrant worker movement: its member organizations, many of which are faith based, are located throughout the country (JCMK general secre-

tary, interview, December 2011). JCMK led the NGO solidarity movement until 2000, when it began to fragment because of tensions between faith-based groups concerned with direct servicing and advocacy and members that favored an organizing model (Lee and Yoo 2013). The first split occurred when the secretariat's staff resigned in 2000 in protest against the network's undemocratic procedures (Kim 2007; Lee and Yoo 2013). A second split occurred later that same year when a group of organizations left to form a network specializing in migrant women's issues.

These differences were exacerbated in the lead-up to the introduction of a bill in 2003 establishing the Employment Permit Scheme, which levied heavy fines on employers who engaged in the unauthorized hiring of migrant workers. A large number of undocumented workers were then fired, leading to sit-ins in several cities that were supported by different groups. These included not only JCMK but also a group of activists who had left to form an alternative solidarity network, now known as the Network for Migrant Rights, as well as the Migrant Branch of the Equality Trade Union, which had been established after JCMK's first split. Most of the sit-ins were dispersed by February 2004, but the protests of the Migrant Branch of the Equality Trade Union, which was critical of the decision to accept the implementation of the Employment Permit System, continued until December of that year, when its name was changed to the MTU (Lee 2005).

As is also the case elsewhere in the region, the core divide between these groups relates to the relative importance each attributes to organizing. JCMK emphasizes the importance of obtaining legal status and working rights for undocumented workers (Kim 2007), but it has not attempted to organize temporary labor migrants—a strategy described by one representative as ineffective given the short-term, cyclical nature of migration (JCMK general secretary, interview, December 2011). By contrast, the activists who left JCMK to form other alliances see organizing—and especially unionization—as the key to the long-term welfare of foreign workers. This is reflected in their commitment to establishing migrant-only unions and engaging with the mainstream union movement.

Thailand

Like Malaysia, Thailand is both a country of origin and of destination, but there is little local advocacy for the rights of Thai workers abroad. Instead, migrant labor activism focuses almost entirely on incoming migrants, primarily those from Myanmar. This focus reflects not only the relative size of incoming and outgoing migration flows but also the particular history of NGO activism in Thailand.

The migrant labor rights movement in Thailand was for a long time dominated by the NGOs that emerged from the Burmese pro-democracy movement.

One of the first NGOs to become involved was the Chiang Mai-based MAP Foundation, which began working with Burmese migrants in 1996. MAP initially conceptualized its support in terms of the provision of health services, but gradually it began to adopt an explicitly rights-based approach, offering legal support and lobbying the labor movement to engage with migrant workers (MAP director, interview, February 2007). MAP has strong links to the Yaung Chi Oo Workers' Association (YCO), an organization founded by Burmese student activists and migrant workers in the western border town of Mae Sot (YCO 2011). YCO has a permanent staff member who assists migrant workers with filing formal legal complaints, including arbitration and court cases, and contacting the Labor Protection office (Arnold and Hewison 2005).[24]

Several other organizations associated with the pro-democracy movement have also been closely involved with migrant workers. For example, the Thai Action Committee for Democracy in Burma (TACDB) provides practical legal support to migrant workers and refugees, in cooperation with the Lawyer's Council of Thailand (TACDB activist, interview, February 2007). Like MAP, its long-term strategy for Burmese migrant workers in Thailand has centered on developing a migrant worker labor movement. Because migrant workers are not permitted to establish their own unions, and foreigners are not permitted to serve as officials in mainstream unions, TACDB has focused on establishing a network of migrant worker groups and pressuring mainstream unions to accept migrant worker members, especially in the Bangkok area. Another important organization in this category is the Federation of Trade Unions–Burma (FTUB). Established in 1991 by worker and student activists involved in the 1988 protests in Myanmar, FTUB was a self-styled national center in exile supported by the ITUC. Because it had no legal standing in Thailand, its aim was to convince Thai unions to accept Burmese workers while working toward the legal reform necessary to allow for the establishment of migrant-only unions. In the meantime, it functioned as an NGO, offering legal assistance to migrant workers in Mae Sot and helping establish community groups including the Migrant Karen Labor Union (FTUB secretary for migrants, interview, February 2007).[25] After the opening up of Myanmar and the reintroduction of the right to organize in 2011, FTUB ceased operations in Thailand and returned to Myanmar, where it has attempted to establish itself as the primary national center, calling itself the Confederation of Trade Unions of Myanmar (CTUM general secretary, interview, January 2014).

Equally important as these pro-democracy organizations are a much smaller number of NGOs established to support local workers. The most prominent such NGO is the Thai Labor Campaign (TLC), which was formed in 2000 to respond to concerns about labor exploitation in export-oriented industries (Brown and Chaytaweep 2008). Four years later, TLC initiated a migrant worker rights cam-

paign advocating for migrant workers to have the same rights as Thai workers. The four main pillars of its approach to migrant labor are to seek change in Thai migration legislation, to encourage Thai unions to open their doors to migrant workers, to support the formation of migrant worker associations and unions, and to raise public awareness of migrant worker issues (TLC 2007). It also provides direct support to migrant workers, employing a full-time staff member in Mae Sot, and works to raise public and union awareness about the needs of migrant workers (TLC staff member, interview, February 2007). TLC has links with regional networks and global labor campaigns, including the Clean Clothes Campaign. It was also instrumental in establishing the Network against Exploitation and Trafficking of Migrant Workers, which focused on Thais working abroad (Network against Exploitation and Trafficking of Migrant Workers 2009).[26] Like several other migrant labor activists from Southeast Asia, TLC's long-serving director, Lek Yimprasert, had spent time working with AMC in Hong Kong and later facilitated discussions between the GUFs and their Thai affiliates on a range of labor-related issues (Yimprasert 2015).[27]

Like their counterparts in other destination countries, Thai migrant labor NGOs have been active networkers. In 1998, MAP and a number of other organizations established the Action Network for Migrants (ANM) (MAP director, interview, February 2007), which describes itself as "a national network of community organizations, and NGOs working with migrants from Myanmar, Cambodia and Laos to protect the rights and fair work of migrant workers and their families" (quoted in Ford 2007, 38–39). By 2005 the network included fourteen organizations, including Friends of Women, the TACDB, and several Bangkok-based migrant worker associations. It has adopted a broad human rights perspective, arguing that migrants should have access to labor rights and legal recourse, the right to information, and freedom of expression and movement (presentation, ANM spokesperson, November 2006). In addition to trying to increase the community's understanding of migrant worker issues, the network also collaborates with its member organizations to empower migrant worker groups to conduct independent training initiatives (TACDB activist, interview, February 2007). It also engages in lobbying, for example, through the circulation of public letters criticizing government policy (Htaw and Janu 2010).

By far the most important network in Thailand is the Thai Labor Solidarity Committee (TLSC) (TLSC 2006; field observations, February 2007). Formally registered in 2003 after operating informally for several years, TLSC has no legal standing in the industrial relations system. It has nevertheless been recognized by the government, and its representatives have participated in various national committees on labor-related issues (TLSC representative, interview, October 2014). Its

twenty-eight members include state enterprise and private sector unions, labor federations, and regional union groups, as well as migrant labor NGOs. Its president, vice president, and general secretary are drawn from the union movement, but its NGO members have influenced its stance on labor migration (Surawanna 2011), convincing the union members that Thai unionists have a duty to promote solidarity among workers regardless of their background. In collaboration with its union members, TLSC organizes street demonstrations and rallies on behalf of migrant workers. These include Migrant Workers' Day, an annual event held every December in which thousands of workers take to the streets to demand improvements to migrant health and safety, education for migrant children, and law reform. In addition, its members have spearheaded a variety of activities in relation to migrant workers. The fact that it brings unions and migrant labor NGOs together in this way has made TLSC a key player in campaigns for migrant worker rights.

Implications

The activist landscapes of Japan, South Korea, Taiwan, and Thailand confirm that destination-country labor migration regimes determine the relative success or failure of migrant labor NGOs' attempts to effect systemic change. In these countries, most labor migrants work in manufacturing and services, which are largely covered by national labor laws. Generally these laws include provisions guaranteeing freedom of association and access to industrial relations mechanisms, such as the collective bargaining and representation in tripartite national bodies that union membership affords. Yet despite the fact that many temporary labor migrants in these four countries work in the formal sector or in semi-formal sector occupations, mainstream unions' generally low levels of engagement have meant that NGOs have remained the primary champions of the rights of temporary labor migrants.

In terms of servicing and advocacy, the strategies used by migrant labor NGOs in Japan, South Korea, Taiwan, and Thailand are strikingly similar to those used by their counterparts in Hong Kong, Singapore, and Malaysia. Significant differences exist, however, with regard to organizing—where strategies are influenced by the availability of political space and the stance taken by local unions. In Singapore, mainstream unions may be open to the recruitment of temporary labor migrants working in the formal sector, but NGOs have little opportunity to engage in organizing because of the very real constraints on political space. In South Korea, organizing efforts began as NGO and community initiatives, but then made the transition to the periphery of the mainstream union movement. This development took place with the formation of the Migrant Branch of the Equality Trade

Union and then MTU, which allowed temporary labor migrants to benefit from the resources and protection of the KCTU.

A similar trajectory should have been possible in Japan, but has not materialized because of a lack of interest on the part of mainstream unions. Because migrant-only unions are not permitted, NGOs instead established or worked with small, community-based unions as a means of enabling temporary labor migrants to gain access to industrial relations mechanisms and processes. In Taiwan, too, mainstream unions have no interest in organizing migrant workers, even though they are present in migrant-dense sectors. As a consequence, there was little room for NGOs to move beyond supporting informal worker associations until migrant-only unions were legalized in 2011. NGOs have had more success working with mainstream unions in Thailand, even though many migrant-dense sectors are not unionized and unions have been reluctant to engage with migrant workers in unionized sectors. These circumstances have led NGOs and sympathetic unions with no jurisdiction in the relevant sectors to focus on a strategy of forming migrant-only unions in waiting.

Reaching out to the Unions

Migrant labor NGOs across Asia have encountered great difficulties in their attempts to encourage local unions to embrace temporary labor migrants, prompting many of them to conclude that their efforts had been wasted (NGO activists, interviews, various years). At the regional level, however, MFA has pursued a strategy of engagement. First mooted in 1990 and formally established four years later, MFA focuses on advocacy, networking, information exchange, and capacity building (MFA 2015). It has more than 290 members in seventeen countries, including Taiwan's Hope Workers' Center, South Korea's JCMK, Japan's SMJ, the Center for Indonesian Migrant Workers, and the Philippines' CMA (MFA 2011). However, its strongholds have been in Hong Kong, where it has worked closely with the AMC, the original host of the MFA secretariat, and in the Philippines, where the secretariat is now located (MFA regional coordinator, interview, May 2007).[28]

It is not surprising, given its history, that the concerns of MFA's affiliates in Hong Kong and the Philippines have largely driven its focus and strategy not only in relation to engagement with unions but also on other matters. The country that led the push to engage with the unions regionally was Hong Kong, where AMC has had a long-held commitment to the unionization of foreign domestic workers and their integration into the local union movement. AMC pursued this agenda locally through its engagement with the HKCTU and regionally through

MFA (AMC executive director, interview, October 2015). A second impetus for MFA's collaboration with the unions came from Philippines-based migrant worker NGOs seeking to leverage the role of unions in the ILO and national industrial relations systems in their campaign for the ratification of a convention dealing with the rights of domestic workers (CMA executive director, interview, May 2014).

As explained by its regional coordinator, MFA's decision to reach out to the unions "started with the experience in the NGO community, when they realized they needed to organize migrant workers" (statement by the People's Global Action on Migration, Development and Human Rights, October 2008). MFA recognized that "unions play a big role in terms of protecting the rights and well-being of migrant workers in both countries of origin and destination," because of their involvement in tripartite structures, their collective bargaining power, and their capacity to encourage the development of standards for the protection for migrant workers and the equal treatment of all workers (MFA 2009, 72). More specifically, "MFA wants unions in receiving countries to collaborate because lobbying in receiving countries is much more effective if you have local unions on board" (statement by MFA executive committee member, People's Global Action on Migration, Development and Human Rights, October 2008).

Recognizing that "the GUFs are ultimately more influential than we are—MFA can do the groundwork, but the GUFs have to push their members to take part," MFA began working closely with the GUFs in the hope that they could influence the mindset and practices of their affiliates (MFA project officer, interview, June 2008). As described in chapter 3, the GUFs were responsive to these overtures, which coincided with a growing interest in the issue of temporary labor migration in the international labor movement itself.

3

ENTER THE GUFs

Since the early twenty-first century, the ILO and the global unions have played a pivotal role in the reshaping of Asian unions' attitudes toward temporary migrant workers. These international actors have provided the material resources—and, in many cases, the conceptual tools and motivation—that local unions needed to begin reaching out to this most nontraditional of union constituencies. The situation in Asia influenced early thinking about temporary labor migration in the ILO and, to some extent, also in the ITUC. However, the impetus for the development of the global unions' migration programs ultimately came not from Asia but from Europe, where developments in the lead-up to the expansion of the European Union brought the issue into focus within the United Nations system and shaped the agendas of the global unions and the SSOs that fund much of their project work.

A broad range of factors influenced the global unions' engagement with temporary labor migration at the global level, including normative leadership from the ILO. Moreover, the global unions' migration programs have evolved over time in response not only to back-donor agendas and structural contingency but also to opportunities in different regions of the world. The ITUC and different GUFs also favor different modes of engagement. Their strategies in turn reflect different resource levels, political orientation, and sectoral bargaining power (Ford and Gillan 2015). The ITUC focuses primarily on advocacy, as do some GUFs. Others, however, also promote servicing or migrant worker organizing either into mainstream unions or separate migrant worker organizations. In a number of cases,

the GUFs have also engaged in collaboration, primarily with one another, but sometimes also with NGOs.

Gaining Global Traction

As the global arbiter of labor standards, the ILO has attempted to raise awareness of the rights of temporary labor migrants as workers. When the global conversation around temporary labor migration intensified in Europe, the ILO sought to position itself as the expert body on this issue within the UN system (Abella 2002, 4). A pivotal element of its agenda was to "shift the emphasis in the global migration debate from refugee, asylum-seeker and security issues to those of development and the protection of migrant workers" (ILO 2010a, 5). This strategy aimed to reposition migration as a labor issue, drawing labor ministries and unions into discussions that had previously been dominated by immigration ministries (ILO Geneva official, interview, April 2009).

The ILO had been grappling with the changes in policy demanded by dramatic increases in temporary labor migration in Asia since the mid-1990s (ILO Geneva official, interview, April 2009). Yet it was not until the 2004 International Labour Conference that the issue was accorded the significance it has commanded ever since. In discussion of an agenda item titled "Towards a Fair Deal for Migrant Workers in the Global Economy," conference participants agreed to develop a nonbinding multilateral framework setting out a rights-based approach to labor migration while taking account of national labor markets (ILO 2004). Released in 2006, the framework is a collection of principles, guidelines, and best practices in labor migration policy (ILO 2006). Key among its principles are the recognition of migrant workers' fundamental labor rights, the embedding of international labor standards in systems developed to manage migration, and the need for governments to consult with employer and worker groups as part of international cooperative efforts. In regard to the last principle, the ILO has argued that the perspectives of employer associations and unions "are crucial to the elaboration and implementation of credible, viable and sustainable labour migration policy and practice at the national as well as the global level" (ILO 2010a, 202). In other words, discussions concerning labor migration must engage with the organizations that are part of national industrial relations systems and are responsible for establishing the international norms that seek to inform those systems.

The ILO has maintained a consistent focus on labor migration since the development of that framework. As described by director general Guy Ryder in a speech at the 2014 International Labour Conference, the organization's overarch-

ing purpose in highlighting the issue is to promote the construction of "an agenda for fair migration which not only respects the fundamental rights of migrant workers but also offers them real opportunities for decent work" (Ryder 2014, 4). The ILO has been involved in a series of concrete initiatives to implement that agenda. At the central level, its Labor Migration Branch has reviewed a large number of bilateral agreements and memoranda of understanding, undertaken studies of the impact of existing migration schemes on migrant workers, and created a database of "good" practices (ILO and KNOMAD 2015; ILO 2015a). Its offices in Asia have contributed to initiatives such as the Asian Programme on the Governance of Labor Migration (2006–2009) and Managing Cross-Border Movement of Labor in Southeast Asia (2006–2010), which aimed to reduce the exploitation of labor migrants in Southeast Asia (ILO Bangkok official, interview, June 2008).[1] The ILO has also facilitated networking between national centers in countries of origin and destination, for instance, linking Malaysian and South Korean unions with their counterparts in South and Southeast Asian countries of origin (ILO Regional Office for Asia and the Pacific 2011). In addition, a U.S.-funded project—the Democracy, Rights, and Labor Project (2014–2015)—aimed to enhance the role of unions in awareness raising and predeparture training in Indonesia, Myanmar, and Nepal. The ILO has also supported the establishment of migrant worker associations in the Southeast Asian destination countries of Malaysia and Thailand (ILO n.d.).[2]

ILO officials are highly cognizant of the importance of NGOs as advocates of migrant rights in Asia. Official Temegen Samuel told a gathering of NGOs and unions in 2008 that the ILO became involved in temporary migrant labor issues in response to the leading role NGOs were playing in that arena: "many NGOs have consultation status with the ILO but there are limitations in how much they can be involved because of the ILO's constitution. But it is NGOs rather than unions or governments that raise migrant labor issues with the ILO" (statement, People's Global Action on Migration, Development and Human Rights, October 2008). This focus on temporary labor migration was warmly welcomed by Asia's migrant labor NGOs, many of which were especially pleased with the ILO's strong emphasis on foreign domestic workers (interviews, 2005–2009). They were also encouraged by the legitimacy such statements accorded them.

By inviting NGO activists to attend the 2004 International Labour Conference as observers, the ILO forced unions to accept that temporary labor migration was a reality that they must face. Importantly, it also forced them to acknowledge the importance of the work of migrant labor NGOs in dealing with the challenges posed by temporary labor migration. According to BWI's education secretary, the inclusion of NGOs in the 2004 conference and the ILO's subsequent initiatives

provided "a big nudge to the union movement" (interview, April 2009). As this comment suggests, the ILO's commitment to involving unions and NGOs in the formulation of global norms around temporary labor migration served as a catalyst for the international labor movement's engagement with migrant workers. Rising to the challenge, the Council of Global Unions (CGU) staked its claim to involvement in no uncertain terms:

> Because of their long histories of struggle, global unions have gained a level of legitimacy that is valuable in the work of defending migrant workers' rights, especially where negotiations with employers and governments are concerned. Moreover, because of their nature as international organizations and their extensive organizational structure . . . global unions are best-placed to respond to the needs of migrant workers who are dispersed all over the world. These unions also have a vast network of allied organizations such as non-governmental organizations and people's organizations that are focused on servicing migrant workers. (CGU 2008, 7)

While there is significant variation in the global unions' capacity to respond to the needs of migrant workers—and in their commitment to doing so—there is no doubt that temporary labor migration was firmly on the international labor movement's agenda.

The International Labor Movement

The ILO's interlocutors in the international labor movement are the ITUC and, to a lesser extent, the GUFs. As figure 3 shows, these organizations are linked through the CGU, which operates separately from the once-powerful World Federation of Trade Unions, the body that represents the world's leftist unions. In Europe, the parallel organizations to the ITUC and the GUFs are the European Trade Union Confederation (ETUC) and a series of regional sectoral federations. In some cases, European sectoral federations operate as regional branches of the GUFs. On the whole, however, the European umbrella groups are in dialogue with their international counterparts, but are structurally separate.

The International Confederation of Free Trade Unions (ICFTU)—the precursor to the ITUC—was a strong supporter of the ILO's stance on temporary labor migration, which it claimed to have had a hand in shaping (TUC 2004). In Asia, the confederation's regional office turned its attention to the issue in the mid-1990s, hosting a regional conference in Singapore to discuss the role of unions in protecting migrant workers in 1994 (ICFTU-APRO 2003). Its Asian

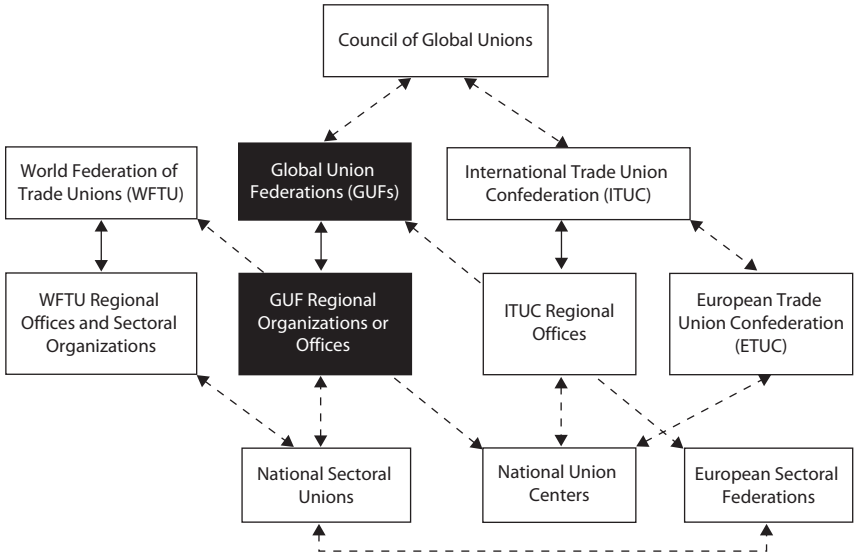
Council of Global Unions
World Federation of Trade Unions (WFTU)
Global Union Federations (GUFs)
International Trade Union Confederation (ITUC)
WFTU Regional Offices and Sectoral Organizations
GUF Regional Organizations or Offices
ITUC Regional Offices
European Trade Union Confederation (ETUC)
National Sectoral Unions
National Union Centers
European Sectoral Federations

FIGURE 3. The structure of the international labor movement

Social Charter for Democratic Development, issued in the same year, made several recommendations concerning migrant workers, including that unions pay greater attention to the rights of economic migrants (Wickramasekera 2000). Another workshop focusing on "mainstreaming" migrant workers was held in 2000 to identify areas of cooperation between unions in countries of origin and destination. At a strategic planning workshop in 2003, it was decided that unions in countries of origin and destination would not only work to raise awareness of temporary labor migration, but also recruit foreign workers as members, establish migrant centers to monitor foreign workers' affairs, and develop cooperation between unions and with other institutions involved in their protection (ICFTU-APRO 2003). This led to the release of an action plan outlining the role that national centers could take in protecting migrant workers (ICFTU-APRO 2003).

Migration was also high on the agenda of the ICFTU's 2004 Congress, where a resolution titled "Fighting Discrimination and Achieving Equality" was passed, calling on unions to play a more active role in promoting solidarity and protecting the rights of migrant workers (ACTRAV 2005). This focus was maintained after the ICFTU merged with the World Confederation of Labour to form the ITUC.[3] At the ITUC's founding congress in 2006, union leaders recognized the organization's responsibility "to campaign against the discrimination and often

exploitative conditions of work and life faced by the world's migrant workers and their families" (ITUC 2008, 3). Soon thereafter, unionists from around the world met to discuss how to organize migrant workers and protect their rights (ITUC 2006). Another workshop, held the following year in conjunction with the ILO, led to the publication of a plan identifying efforts that needed to be undertaken at the national, regional, and international levels: these included political action, social dialogue, training, and engagement with international institutions (ITUC 2008). The ITUC has subsequently run several global campaigns on migrant labor, some in collaboration with the ILO or the GUFs. Several of the most prominent campaigns have targeted major sporting events like the World Cup (ITUC n.d.). In Asia, meanwhile, the ITUC's work focused primarily on engaging unions in these global campaigns and in broader discussions of temporary labor migration. Other meetings and a series of sub-regional conferences were subsequently held in various locations, including Jordan, Malaysia, and Nepal. At one of these meetings, unions from Bahrain, South Korea, Hong Kong, Malaysia, Jordan, Indonesia, Bangladesh, Nepal, and the Philippines were represented, along with a number of NGO activists who attended as observers. Like many such events, this meeting consisted primarily of long country reports with little time for participants to engage in discussion (field observations, September 2009). This pattern is not surprising, given the Asia Pacific Regional Office's well-deserved reputation for conservatism and ineffectiveness.

In short, although the ITUC has firmly embraced the migration agenda, it can claim little credit for concrete progress on migration-related issues in Asia. Indeed, as a staff member from its Asia Pacific Regional Office observed, "The GUFs are far ahead of the ITUC and its affiliates on migrant labor issues, and we should learn from them" (statement at the ITUC-AP/ILO Regional Strategic Planning Workshop for Migrant Labor, September 2009). As this comment suggests, it has not been the ITUC but rather the GUFs—with their direct relationships with national sectoral unions—that have driven substantive change in unions' patterns of engagement with temporary labor migration in Asia.

GUF Engagement

Representing a collective membership of some 140 million workers worldwide, the organizations formerly known as the International Trade Secretariats (ITSs) act as umbrella organizations for national sectoral federations (see table 6). Nine GUFs have been operational since 2012: BWI, Education International (EI), the International Arts and Entertainment Alliance (IAEA), IndustriALL, the International Federation of Journalists (IFJ), the International Transport Workers'

TABLE 6. Global Union Federations

GUF (SECTORAL FOCUS)	CURRENT FORM	NUMBER OF AFFILIATES (MEMBERS)	RECENT AMALGAMATIONS
BWI (building, wood, and forestry)	2005	326 (12 million)	International Federation of Building and Wood Workers (IFBWW) and the World Federation of Building and Wood Workers
EI (education)	1993	400 (30 million)	
IAEA (arts and entertainment)	2000	300 (0.8 million)	International Federation of Actors; International Federation of Musicians; and UNI-Media, Entertainment and Arts
IFJ (journalism)	1952	161 (0.6 million)	
IndustriALL (mining, energy, and manufacturing)	2012	632 (50 million)	International Metalworkers' Federation (IMF); International Federation of Chemical, Energy, Mine and General Workers' Unions (ICEM); and International Textiles, Garment and Leather Workers' Federation (ITGLWF)
ITF (transport)	1896	700 (4.5 million)	
IUF (agriculture; food and beverages; hotels, restaurants, and catering services; tobacco)	1994	390 (2.6 million)	IUF and Plantation Workers International
PSI (public services)	1907	669 (20 million)	
UNI (cleaning and security, commerce, finance, gaming, graphic design and packaging, hair and beauty, ICT, media, postal services and logistics, care, sport, temp agencies, tourism)	2000	900 (20 million)	International Federation of Employees, Technicians and Managers (FIET); Media and Entertainment International (MEI); International Graphical Federation (IGF); and Communications International (CI)

Source: Adapted from Ford and Gillan (2015).

Federation (ITF), the IUF, Public Services International (PSI), and UNI Global Union (UNI).

The primary purpose of the GUFs is to support their affiliates in their different national settings and to "globalize" industrial relations within their sectoral mandate (Ford and Gillan 2015). The GUFs work to achieve these aims by negotiating with multinationals in an attempt to influence employment relations in their supply chains and by channeling solidarity funds from wealthy affiliates and the

SSOs to support developing-country labor movements or global campaigns. While migration-related programs constitute a relatively small proportion of their work, all of the large GUFs have engaged to some extent in initiatives targeting migrant labor. Indeed, only the IFJ and the IAEA—by far the smallest of the GUFs—have no involvement in migration-related initiatives.[4]

The interest of the GUFs in labor migration is in part driven by the undeniable and enduring consequences of transnational labor mobility, particularly in migrant-dense sectors like construction. But the focus of their migration programs is not always determined purely by assessments of urgency or need in different sectors or national contexts. As argued in the introduction, it is also influenced by their capacity to fund such work, as well as structural contingency and the conditions they encounter in different target countries. Similarly, while different modes of engagement are better suited to different local contexts, the strategic orientation of the GUFs—as indeed is the case for their affiliates and other local partners—is influenced as much, or even more, by their organizational values and institutional resources than by the suitability of different strategies.

Funding Relationships and Sectoral Drivers within Europe

The priorities of GUFs that are financially self-sufficient are driven most strongly by a combination of headquarters' agendas and the interests and strategic orientation of their strongest affiliates. In most cases, however, European SSOs provide the bulk of the funding for GUFs' outreach work. As explained in the introduction, funding for migration projects has been relatively easy to obtain from the European SSOs because of the increasing pressure placed on SSOs' home-country labor markets by temporary labor migration. Landsorganisasjonen i Norge (LO–Norway), for example, began engaging with migrant labor issues in the mid-2000s, when the Norwegian Conference of Trade Unions first identified labor migration as an important issue in Norway (presentation by LO–Norway regional representative at People's Global Action on Migration, Development and Human Rights, October 2008). Indeed, as one GUF staff member put it, "As a program, migration will not necessarily deliver you members. But it is high in terms of sustainability because money will keep flowing" (interview, September 2015).

The key donors to the GUFs' labor migration projects include LO-Norway, the German Friedrich Ebert Foundation (Friedrich-Ebert-Stiftung [FES]), the Dutch FNV Mondiaal, the Trade Union Solidarity Centre of Finland (Suomen Ammattilittojen Solidaarisuuskeskus [SASK]), and the Swedish SSO now known as Union to Union. In many cases, these SSOs work with several different partners. For ex-

ample, in 2015 FNV Mondiaal was not only supporting migration projects through BWI and PSI in Asia and Africa but was also working directly with some recipient unions (FNV Mondiaal 2015). Conversely, the migration program of a particular GUF may be funded by several SSOs. For example, PSI launched its Migration and Women Health Workers Project in 2005, an initiative that had emerged out of its Women's Committee. The project attracted funding from FNV Mondiaal, IMPACT Ireland, as well as the Migrant Worker Desk and the Bureau for Workers' Activities in the ILO (PSI migration program coordinator, interview, April 2009). A subsequent international project—Decent Work and Social Protection for Migrant Workers in the Public Services (2014–2016)—was co-funded by PSI, FNV Mondiaal, IMPACT, and the ILO's Bureau for Workers' Activities (PSI 2015).

The SSOs have done more than simply bankroll migrant labor initiatives. For example, it was FNV Mondiaal's call for projects on the theme of labor migration that prompted BWI to establish its Asian migration program (BWI migration, gender, and campaign director, interview, November 2016). However, there are limits to the availability of this funding source. Since European SSOs' resources are often supplemented by national development aid, the availability of funding is largely determined by the income level of countries of origin or destination. Destination countries are by definition relatively prosperous, even if they are not rich, and difficulties in finding external funding for work in these wealthier countries have a significant impact on the way in which migration-related projects evolve.

Structural Contingency

Even taking back-donor agendas into account, the GUFs—like their affiliates—exercise a great deal of agency in deciding whether to engage and how to do so with an issue like temporary labor migration. And just as the influence of its regional offices helps explain the ITUC's weak position on temporary labor migration in Asia, the GUFs' lean, geographically dispersed structures are one reason why migration has been such a strong focus in some migration-heavy regions and not in others. Like the ITUC, the GUFs are multilayered organizations with headquarters in Europe and regional offices or branches that serve as their primary interface with their country-based affiliates. The GUFs' regional offices have at best a skeleton staff, which must prioritize an enormous number of competing demands on its time. At the same time—in part precisely because they house small teams rather than large bureaucracies—these regional offices have considerable flexibility and influence over their initiatives.[5]

A close examination of decisions made by the GUFs with regard to engagement with temporary labor migration reveals the varying degrees to which they

are driven by the organizational strategies and policy priorities of their head offices, on the one hand, and the interests of their regional staff on the other. The focus and effectiveness of particular migration-related initiatives are in turn determined by the interests and capacity of the head office or regional staff who oversee them, and—importantly—the priorities, networks, and personal characteristics of the individual(s) tasked with their implementation at the regional or country level. This is nowhere clearer than in a comparison of the global programs of BWI and the IUF, which have historically been most active in regard to temporary labor migration within Europe. BWI's focus on migration at the headquarters level translates into a strong global program. By contrast, with the exception of its domestic worker initiatives, the IUF's relatively strong focus on migration in Europe is not reflected in its global strategy, even though sectors such as agriculture and hospitality employ large numbers of temporary migrant workers in Asia and elsewhere. Conversely UNI, which has had a relatively weak focus on migrant labor in Europe, has engaged quite intensively with temporary migrant labor in Asia, largely due to the personal interests of its regional secretary. These discrepancies are explained in part by funding and in part by the fact that the agendas set by headquarters are mediated—and in some cases transformed—as they are rolled out through regional offices and to local affiliates.

Local Context

A third pivotal determinant of the contours of the GUFs' migration programs is local context. Host government policies on foreign entities and the extent to which local unions are permitted to exist can impede the GUFs' capacity to mount projects involving their affiliates in particular countries. For example, BWI had made considerable progress toward establishing a construction federation in Bahrain in the 2000s, only to have its efforts foiled by a political crisis, which set back BWI's work in the Gulf region as a whole (BWI migration, gender and campaign director, interview, September 2015). An equally important factor is the nature of the GUFs' relationships with local unions. Other than in exceptional circumstances, the GUFs—like the ITUC—work through their affiliates. This means that in most cases they work with established unions in a particular sector. As a consequence, their capacity to effect change is heavily dependent on favorable local circumstances. Not only is it reliant on the presence of affiliates in potential target countries, their membership densities, and other organizational characteristics, but it is also constrained by affiliates' willingness to take on a particular campaign or project and their capacity to deliver on its objectives.

Another aspect of local context that affects the GUFs' capacity to act in any particular country is the nature of their relationship with the national center(s) to which their affiliates are linked. Since GUF affiliates generally organize a particular segment of the workforce, their labor migration projects necessarily focus on those industries—save for the case of domestic work, which has emerged as a special focus of the IUF. While sectoral unions are in the best position to service and organize migrant workers, the national centers, which are affiliated with the ITUC, almost always are more engaged in high-level policy discussions with government than are the sectoral unions. As a result, the chances of effecting systemic change at the national level are low if a national center is weak or has no interest in temporary labor migration. Indeed, as BWI's migration, gender, and campaign director observes, "Our affiliates can organize but it's the national center that makes policy change. So if the national center isn't committed, there's always a stalemate" (interview, September 2015). In addition, the national centers are the designated representatives of national labor movements' policy interests at different levels of the ILO. For these reasons, the GUFs' relationships with national centers are pivotal, particularly in Asia, where the ITUC has gained little traction on the issue of temporary labor migration.

Modes of Engagement

Although much of the GUFs' work is carried out in the developing regions of the world, their strategies and modes of action—like their thematic focus—are heavily influenced by the thinking and experience of their European affiliates. At the same time, different modes of engagement may be favored to a greater or lesser extent in different regions or even in different countries. A close examination of the GUFs' migration programs reveals that four of the seven large GUFs identify temporary labor migration as a central priority. However, all seven have directly supported, or have European affiliates that have engaged in the organizing or servicing of temporary labor migrants, or advocacy on their behalf. As table 7 suggests, BWI is the GUF most uniformly involved across the different modes of engagement described in the introduction, followed by the IUF, PSI, and EI and then the ITF, UNI, and IndustriALL. Over time, the GUFs have also increasingly collaborated on migrant labor initiatives.

As explained in the introduction, *advocacy* work on behalf of temporary labor migrants incorporates elements of labor diplomacy, knowledge production and dissemination, and campaign support for migrant workers and local unions. International labor diplomacy may involve engagement with institutions like the Global Forum on Migration and Development or the World Bank on problems associated with labor migration; an example is the IUF's intervention relating to

TABLE 7. Modes of GUF engagement with temporary labor migration

MODE	BWI	EI	INDUSTRIALL	ITF	IUF	PSI	UNI
Advocacy	✓✓✓	✓✓	✓	✓	✓✓	✓✓	✓
Servicing	✓✓✓	✓	✓	✓	✓✓	✓✓	✓
Organizing	✓✓✓	✓	✓	✓	✓✓	✓	
Networking and collaboration	✓✓	✓		✓	✓✓	✓✓	✓

Note: This typology is a variation on the one first developed in Ford (2013) to describe GUF engagement on temporary labor migration in Malaysia. The number of ticks reflects a comparative assessment of the intensity of engagement of each GUF in each of the four areas. This assessment of the ITF excludes its programs for seafarers, who are not temporary labor migrants in the sense of the term as it is used here.

the domestic workers' convention. Knowledge products include case studies of migrants in particular industries or national settings, such as a report on the social inclusion of migrant construction workers, which identifies best practices in ten countries and was released by the European Federation of Building and Wood Workers (EFBWW) in 2013. Examples of sustained campaigns include BWI's thematic campaign on the use of temporary migrant labor in large-scale construction projects at sports venues (BWI 2014b).

Servicing has emerged as another important element in the overall strategic approach to temporary labor migration adopted by the GUFs' European affiliates. In Spain, a network of information centers was established in the local offices of major national union centers (Lucio, Stefania, and Heather 2012). In Germany, the union responsible for care workers provided services to undocumented workers through its advisory bureaus in Berlin and Hamburg (Hardy, Eldring, and Schulten 2012). In other countries, servicing has taken the form of securing coverage for temporary labor migrants in collective bargaining agreements without their direct recruitment. In Finland, for example, the construction union focused on minimizing opportunities for employers to evade legal provisions that require them to apply collective agreements to all workers (Alho 2013). Working from a position of strength—with a sectoral union density of some 70 percent of permanent workers and institutionalized access to tripartite negotiating mechanisms—the union successfully lobbied for policy measures making it compulsory for all construction workers, including migrants, to display a Finnish tax number while working on a construction site. It supplemented this policy strategy with a boycott of foreign employers, an approach largely supported by the employers' association, which was also concerned with social dumping.

Sectoral regional associations within Europe have also taken an active role in servicing, as evidenced, for example, by the Euro-Mediterranean Project on Informing and Training Public Sector Union Representatives on Receiving Migrants,

which ran from 2010–2012. This project was spearheaded by a French affiliate of the European Federation of Public Service Unions (EPSU), but it also involved affiliates from Spain, Greece, Italy, Portugal, and Romania (EPSU 2012). Similar projects have been taken on by the European Federation of Food, Agriculture and Tourism Trade Unions (EFFAT), which serves as the European regional organization of the IUF and—like the EPSU—identifies migration as one of its key policy priorities (EFFAT 2015b). One of its migration-related initiatives was the development of a purpose-specific website for migrant workers and unions featuring details of migration legislation, migration studies, examples of best practice, and useful links for migrant workers (EFFAT 2008). But like so many projects of this nature, maintenance has been a problem; the website has not been updated since 2010.

The EFBWW has also implemented several servicing strategies. It included temporary labor migrants in a project on social identity card schemes, which provided a mechanism for recording data on qualifications and other information relating to the employment of workers (Briganti et al. 2015). It also created the European Construction Mobility Information Net, an online resource providing easily accessible information about wages, conditions, salary deductions, and workplace injury or illness in sixteen European countries and several different languages (Greer, Ciupijus, and Lillie 2013). As these authors point out (2013, 17), regional servicing initiatives such as this online resource have the potential to strengthen networks between national unions, but they also reveal the weaknesses of project-based approaches. For example, the European Construction Mobility Information Net website, which was funded by the EU Commission from 2008 to 2010, was still online in 2018, but like the EFFAT website, its content is no longer current.

The *organizing* work of GUF affiliates in Europe has focused largely on attempts to encourage migrants to join mainstream unions. In Sweden, rank-and-file unionists were teamed up with interpreters in an attempt to organize migrant workers (Bengtsson 2013). Finnish construction unions established a branch for foreign members and hired a Russian-speaking official (Alho 2013). In Spain, the Workers Commissions (Comisiones Obreros) deployed Moroccan workers in the construction and hospitality sectors to construction sites and local community centers to educate and recruit workers (Lucio, Stefania, and Heather 2012).[6] Some British unions have used a combination of workplace and community organizing. For example, UNISON adopted a multilayered approach to migrant care workers involving the development of a national strategy, the collation of examples of best practices, the delivery of migrant-specific services, and campaigns on issues of shared relevance to migrants and local workers, as well as on migrant-specific issues (Hardy, Eldring, and Schulten 2012). UNISON has also

worked with relevant community groups, including a Filipino community group called Kanlungan, which was lobbying against the threatened deportation of 3,500 Filipino care workers (Alberti, Holgate, and Tapia 2013).[7]

In other cases, organizing initiatives have involved cross-border cooperation. For example, Polish and German unions in a number of German automotive companies were able to cooperate effectively because German unions saw improved wages in Poland as a way of maintaining good working conditions at home (Bernaciak 2010). The initiative centered on the production networks of particular firms and was also made possible by the high level of integration between the car industries in the two countries, which is underpinned by German investment in the Polish automotive industry. As Bernaciak (2010, 120) observes, the relationship was highly transactional: "In the areas that could not be secured via national- or plant-level negotiations, German unions were interested in coordinating with the Poles. Polish activists, for their part, cooperated with their German counterparts only in exchange for assistance, when their goals could be achieved to a fuller extent through cross-border cooperation than through local negotiations or compliance with management's demands." In an attempt to take the cross-border model to its logical conclusion, the German construction union launched a pan-European initiative called the European Migrant Workers Union in 2004. Its aim was to support migrant workers not just in Germany but also throughout Europe. But after failing to meet its recruitment targets, the European Migrant Workers Union was folded back into its parent union in 2008 (Greer, Ciupijus, and Lillie 2013).

Collaboration may also develop at the supranational level between different GUFs, between one or more GUFs and the ITUC or an SSO, between a GUF and the ILO, or between a GUF and an NGO or NGO network. It can, of course, also take place across different levels of the same organization, for example between GUF affiliates in the same or different countries or between GUF affiliates and a national center. A subcategory of collaboration is networking, which refers to activities such as regular meetings to build trust or devise joint strategies. In one instance, BWI, EI, PSI, and UNI jointly hosted a strategic planning meeting on temporary labor migration in 2012, which brought together close to sixty representatives of their affiliates (Global Unions 2012).

In some cases, networking can evolve into collaboration on a particular campaign or series of activities. For example, BWI, EI, PSI, and the ITUC worked together to ensure that the GUFs were represented at the Civil Society Days of successive Global Forums on Migration and Development (PSI 2014a). BWI worked with the ITUC and EI on a campaign called "Without Us," which began

in Switzerland and expanded to Asia, Latin America, and Africa. The campaign involved the design and distribution of striking posters that featured photos of construction sites with the migrant workers cut out, thereby highlighting the contributions they make (BWI Connect 2012). Some of this collaboration is facilitated through the CGU Working Group on Migration, which seeks to establish shared policy on labor migration and to influence high-level intergovernmental initiatives, in addition to coordinating GUF activities on migration (CGU 2012). Although less common, collaboration may also involve NGOs, as has been the case with the IUF's advocacy for foreign domestic worker rights—described by the deputy director of the ILO's Bureau for Workers' Activities (ACTRAV) as an instance of "unprecedented alliance-building between the union movement and . . . NGOs" (quoted in IDWF 2014b)—and, in Asia, the GUFs' engagement with MFA.

The GUFs' Migration Programs

Globally, different GUFs have employed various modes of engagement at different levels of intensity and in different ways, reflecting both the extent to which temporary labor migrants are represented in their sectors and the constraints and opportunities presented to them by back-donor agendas, structural contingency, and local context. Although their Asia programs are necessarily specific to the region, they sit within a global context, defined in large part by the extent to which their head offices prioritize temporary labor migration over the many other issues that engage them. Their Asia programs are also indicative of how the GUFs construct their migration programs and when and where they choose to engage.

International Union of Food, Agricultural, Hotel, Restaurant, Catering, Tobacco and Allied Workers' Associations

Historically, the IUF and its affiliates have been among the most active defenders of migrant labor in Europe. The IUF first began to take seriously the challenges of supporting migrant workers after the poor working conditions of Moroccan agricultural laborers in southern Spain were exposed during its 2002 congress (IUF international officer for agriculture and plantations, interview, April 2009). In 2003, it organized a workshop in Berlin on union responses to migrant agricultural workers. This meeting produced a draft charter of rights for migrant workers in agriculture, in preparation for an ILO symposium on decent work in agriculture in September that year and a discussion of temporary labor migration

at the 2004 International Labor Conference (IUF 2003). A second workshop, titled "Organizing, Representing and Defending Migrant Workers' Rights in Agriculture and Allied Sectors" and involving participants from Europe and Central Asia, was held in Moldova in 2005 (IUF 2008).

Following the release of the ILO's plan of action for migrant workers at its 2004 conference, the IUF signaled its support, stating that the plan would provide it with "additional space to develop 'best practice' standards by unions organizing migrant workers and fighting for their rights." In the same year, its executive committee drew up a charter declaring unions' commitment to fight for "rights for all migrant workers, documented or undocumented," including the right to join a union (IUF 2008, 50). After a meeting in Spain in 2006, at which a working group on migrant workers' rights recommended that migrant-related activities be extended beyond Europe, a resolution was passed at the IUF's 2007 Congress endorsing the Charter of the Rights of Migrant Workers in Agriculture (IUF 2008). IUF subsequently published a handbook on organizing and defending migrant workers in the agricultural and allied sectors that showcased initiatives by its affiliates, including campaigns to stop the abuse of migrant workers by tobacco companies in the United States and the abuse of migrant workers in the poultry sector in Australia. Also described were campaigns targeting tomato growers in Italy and agro-industrial workers in Kazakhstan (IUF 2008).

While migration is no longer identified as a priority at its central level, the IUF continues to be involved with temporary labor migrants through several of its core initiatives (IUF general secretary, interview, September 2015). One key focus, particularly in Europe, remains its affiliates' work with migrant workers in agriculture (IUF international officer for agriculture and plantations, interview, September 2015). In this sector, the IUF has been active in providing support for its affiliates in negotiations over collective bargaining agreements, such as those signed between Spanish unions and employers in the canned vegetable industry that affirm the right of casual workers employed through an employment agency—many of them migrants—to the same pay and conditions as directly employed workers (McKay, Clark, and Paraskevopoulou 2011). The Spanish Agrifood Federation has long been engaged in advocacy, organizing, and networking efforts and has worked with local governments, NGOs, and immigrant associations to provide services for migrants. It has also lobbied for pro-migrant reform to immigration policy (Byrne 2004; 29–30; CCOO 2015). These initiatives have been complemented by coordinated protests in support of migrant worker rights, such as a wave of solidarity demonstrations by affiliates in Europe and Asia supporting efforts by a British union on behalf of workers in companies providing meat products to Marks & Spencer (IUF international officer for agriculture and plantations, interview, April 2009).

In the hospitality sector, IUF initiatives have included an agreement signed in 2004 with Club Méditerranée, which guarantees migrant workers access to conditions specified in host-country labor legislation (McKay, Clark, and Paraskevopoulou 2011). Its European branch has also worked with employers' groups to develop a European qualification and skills passport to record migrant hospitality workers' qualifications and skills more transparently (EFFAT 2015a). In 2013, the IUF's hotel, restaurant, catering, and tourism division launched the campaign, "Dignity for Hotel Housekeepers" (IUF HRCT 2015), which focuses on identifying best and worst practices in the industry, dealing with companies to develop policies to improve working conditions, increasing union membership and activism among housekeepers, and heightening the visibility of the industry among international organizations including the ILO (IUF 2015). Although migrant workers are not an explicit focus of the campaign, they could feature strongly in it, given the migrant-dense nature of this sector in some regions.

The IUF's third key initiative relating to temporary labor migrants involves foreign domestic workers. The IUF has a long history of involvement with this sector through its ties to the HKCTU, which it helped establish in 1990 (IUF general secretary, interview September 2015). In November 2006, together with the ICFTU, the IUF supported a conference on domestic work organized by a number of international and Dutch women's NGOs and hosted in Amsterdam by FNV Mondiaal (IRENE and IUF 2008). This conference set out three objectives: to achieve recognition of domestic workers as workers, to make it possible for domestic workers to speak for themselves, and to lobby for a domestic workers' convention. Over the next two years, an interim steering committee was put in place and a website launched. Around the same time, a Dutch affiliate of the IUF began organizing domestic workers and campaigning to have them included in a collective agreement in the industrial cleaning sector. Members recruited by the union over the next six years included 300 foreign domestic workers (Carls 2012).

As funding levels grew, this network of domestic workers and their allies was able to employ regional coordinators for Asia, Latin America, and Africa. In 2009, the steering committee adopted the name International Domestic Workers Network (IDWF 2014a; WIEGO n.d.-b) and began to work with the IUF to devise a proposal outlining the need for a convention, to be presented to the 2010 International Labour Conference (Mather 2010). A motion recommending the adoption of a convention, largely in line with the network's proposal, was indeed passed at the 2010 International Labour Conference (WIEGO n.d.-a). ILO Convention No. 189, Decent Work for Domestic Workers, was subsequently issued in 2011 and came into force in September 2013. Signatories to the convention are required to recognize the right of domestic workers to freedom of association and to

guarantee domestic workers a monthly payment, access to social security, and one day off per week.

The IUF and the ITUC played an important role during this process, bridging the gap between domestic worker groups and unions with no experience in dealing with domestic workers' issues. National centers then collaborated with NGOs and national-level domestic worker organizations to exert pressure on governments and on national employer groups to support the convention (IUF 2014c). Immediately after the convention was passed, the network began to work with its collaborators in the union movement on a campaign to encourage governments to ratify it (ITUC 2013). Known as "12 by 12," this campaign is run by the ITUC in partnership with the International Domestic Workers Network and the IUF, but it also involves PSI, the ETUC, and several NGOs.[8] The IUF now also provides an institutional home for the International Domestic Workers Federation (IDWF), founded in 2013 and headquartered in Hong Kong.

Building and Wood Workers' International

Another GUF that has been very active on temporary labor migration in Europe is BWI. Influenced by its German affiliates in the construction industry, BWI's predecessor, the IFBWW, had long taken an anti-migration stance. However, its position changed as its European affiliates in the construction industry began to reconsider their strategies in the lead-up to the expansion of the European Union. This shift was signaled by the release of a strategy paper drawing on the findings of a survey of affiliates in 2003. The paper provided an overview of different types of migrants, outlined legislation and government policies toward labor migration, and described initiatives already undertaken by various organizations, including unions, on migration. It concluded that unions should have a policy of "management and not repression" in relation to temporary labor migration (IFBWW 2004). Indeed, such has been the transformation in BWI's position on the issue that other GUFs now readily acknowledge its leading role in GUF engagement with temporary labor migration (interviews, September 2015).

BWI recognizes the strong presence of temporary labor migrants in the construction industry and the threat they pose to conditions for local workers if its affiliates fail to organize them. In advocating for organizing efforts, its general secretary, Ambet Yuson, acknowledged migrant workers' precarious status: "In our industries, there is a long tradition of exploiting migrant labour from lower-wage economies. Migrant workers are often under-paid and not covered by social and labour legislation. Such precarious employment undermines the efforts of BWI affiliates to maintain and improve national standards. For that reason BWI and

its affiliates are focusing on organizing temporary migrant workers, regardless of their legal status, under the banner of "equal pay, benefits and conditions for equal work" (quoted in BWI 2013a, 3). Yuson's argument for organizing migrant workers reflects the concerns of the broader union movement about social dumping, and in that sense is quite traditional. However, BWI has arguably been the GUF that is not only most strongly committed to engaging with temporary labor migration but also the one most likely to experiment with new approaches—for example, actively engaging with undocumented migrant workers.

As with other GUFs, developments in Europe provided the initial impetus for BWI's engagement with migrant labor. However, many of the approaches and tactics that BWI uses globally were first forged in Asia (BWI gender, migration, and campaign director, interview, September 2015). Successes in its Asian migration project were also leveraged to raise awareness among BWI's central leadership of different ways to deal with temporary labor migration. This process culminated in the establishment of a purpose-specific global program after Yuson returned to Geneva and took up the position of general secretary in late 2009 (BWI general secretary, interview, September 2015). BWI's Second World Congress, at which Yuson was elected to that leadership position, passed thirteen resolutions on migration that were subsequently integrated into BWI's 2010–2013 Strategic Plan. The passage of these resolutions was followed by the 2010 launch of the global campaign called BWI Connect (BWI Connect 2013).

BWI Connect has three main objectives: to increase migrant worker membership through targeted recruitment campaigns; to improve the working and living conditions of migrant workers through collective bargaining, social dialogue, and service provision; and to influence global policy on labor migration. Several strategies have been used to achieve these objectives. Some have been externally oriented, such as global advocacy, and the regional mapping of governance structures, national policies, and general trends in labor migration. BWI's own migration initiatives include campaigns to change anti-migrant attitudes within destination-country affiliates, embedding organizers from key countries of origin in destination-country unions, developing partnerships between affiliates in countries of origin and destination, providing automatic access to reciprocal membership, and creating programs that provide pre-departure education (BWI 2013a).

Support for BWI Connect was subsequently reaffirmed at the organization's Third World Congress in 2013 (BWI 2013b). In BWI's 2014–2017 Strategic Plan, the global campaign for migrant worker rights was positioned within the third of three pillars—unions, jobs, and rights—alongside gender equality, youth employment, and the defense of union rights. It was also embedded in BWI's global sports campaign, a major initiative in its unions pillar (BWI gender, migration,

and campaign director, interview, September 2015). As part of its global sports initiative, BWI advocated the use of temporary migrant labor in the construction phase of facilities for high-impact projects such as the FIFA World Cup, which is held every four years. It mounted campaigns in the lead-up to the 2010 World Cup in South Africa and the 2014 World Cup in Brazil, and later shone the spotlight on Russia and Qatar, the hosts of the 2018 and 2022 World Cups, respectively. The Qatar campaign has included activities ranging from demonstrations against the Qatari government in migrant-sending countries (BWI 2014c) to a series of post-arrival workshops for migrant workers in Qatar (BWI 2014a, 2015b). Much of this work around sporting events has involved collaboration with the ITUC, which submitted two complaints against Qatar to the ILO in 2012 and 2013 on issues pertaining to freedom of association, the right to organize, the right to collective bargaining, and forced labor (BWI general secretary, interview, September 2015).

In short, engagement on the migrant labor issue is now firmly embedded in BWI's overall strategy. It has emerged not only as a domain in which BWI has experimented with different techniques of advocacy, servicing, and organizing but also as one that has provided significant opportunities for networking and collaboration with other international labor movement actors, as well as NGOs.

Public Services International

The third GUF that has demonstrated a strong focus on migrant labor at the headquarters level is PSI, which first passed a resolution on overseas migrant workers in 1993 (PSI 2005). In 1995, PSI established a Migrant Workers' Working Group, which was mandated to develop strategy in this area (ILO 1999). In 1996, the working group produced a document called "Going out to Work: Trade Unions and Migrant Workers," which recommended that unions establish and maintain activities regarding migrant worker rights, including campaigning for United Nations and ILO conventions and drafting a Migrant Workers' Charter (PSI 1996). PSI's 2002 World Congress adopted an emergency resolution on the movement of people, calling on governments to develop national employment and development policies to prevent brain drain in the public services (PSI 2005). Migration was subsequently identified as a frontline issue at the 2007 PSI World Congress, where plans were announced to expand migration-related activities among health workers to all sectors represented by the organization (PSI migration program coordinator, interview, April 2009).

A major focus of PSI's strategy is labor diplomacy, which includes high-level lobbying to bring about the ratification of relevant conventions. For many years it has also been an active participant in side events associated with successive

United Nations High-Level Dialogues and Global Forums on Migration and Development (PSI 2014b, 2013a, d, b). From 2003, this policy work has been complemented by a small but focused project targeting migrant health workers and championed by PSI's World Women's Committee. Called "Promoting Workers' Rights and Equity in the Global Health Care Workforce," the project involved unions in sixteen countries across the Asia Pacific, Africa, the Americas, and Europe.

In the first stage of this PSI migration project, from 2003–2004, participatory action research was conducted that identified significant gaps between health workers' expectations of the benefits of labor migration and their actual experience. The second phase in 2005–2006 focused on capacity building, information exchange, bilateral partnerships between unions, campaigning, and advocacy work (PSI migration program coordinator, interview, April 2009). A key element of this second phase was the development of pre-departure decision kits, designed to improve potential migrants' understanding of the risks and benefits of migration as well as raising their awareness of migrant worker rights and the benefits of joining a union. These kits were distributed in training workshops designed to equip potential migrants with the knowledge and skills they needed to improve their chances of a successful migration experience (observer participation, October 2008). The project also involved organizational capacity building and encouraging bilateral cooperation between unions in countries of origin and destination (Gencianos 2006). PSI has since established similar programs in Africa and the Middle East (PSI 2013e, c).

Yet while PSI shares a commitment to a rights-based approach, its position on the benefits of labor migration has been less positive than that of BWI, in part reflecting the higher skills base of its constituency. According to a 2008 statement of its stance on migration and development,

> PSI . . . is seriously concerned that the current discourse on migration and development is narrowly focused on the "economics of migration" at the expense of migrants' rights. While PSI recognises the benefits of remittances in reducing poverty levels through increased income, improved housing, education and healthcare at the household level, it is deeply disturbed that remittances are increasingly being used by States as a substitute to sustainable investment in public services and the domestic economy. Instead of striving to secure and retain the workforce, certain developing countries are relying on labour migration as a way to development. It is equally disturbing that richer States, rather than investing in quality public services, see a short term solution in "poaching" much needed expertise from developing countries. (PSI 2008)

Ultimately, then, PSI's position is that rich and poor states alike should invest in their public services, thus obviating the need for skilled and semi-skilled labor migration among public service workers.

Education International

EI shares with PSI a strong focus on the public sector, which in large part explains its relatively low level of involvement with migrant labor. Nevertheless, EI's interest in migration has grown over time. While the situation of migrant teachers is very different from that of unskilled temporary labor migrants, both groups do face some similar problems; for example, foreign teachers are frequently hired to fill skills gaps or to work in hard-to-staff schools on temporary visas and fixed-term contracts, often under exploitative conditions (Caravatti et al. 2014). EI has adopted a three-pronged strategy to address these problems: campaigning for equal treatment and against unscrupulous recruitment agencies, working with UNESCO and the ILO to promote the benefits of teacher mobility, and supporting the work of its affiliates in promoting equality for migrant teachers (EI 2015).

One of the earliest concrete migration initiatives undertaken by EI was the establishment in 2005 of the Commonwealth Teachers' Group. This group developed a recruitment protocol aimed at improving conditions for teachers from developing countries who were being recruited to the United Kingdom with little training in local requirements, only to lose their positions soon thereafter. According to the National Union of Teachers, the protocol led to a decrease in the number of migrant teachers experiencing difficulties (Caravatti et al. 2014). EI's commitment to the Commonwealth Teacher Recruitment Protocol was reaffirmed at its sixth World Congress in 2011, where it also undertook to push for the ratification and implementation of relevant United Nations and ILO conventions, to campaign for the regulation of recruitment agencies, and to establish a Teacher Migration Task Force (EI 2011).

EI subsequently established a Migrant Teachers' Rights portal in 2014. This portal, which is similar to BWI Connect, provides resources and information for both unions and individuals, including sections on how members can become engaged (strategies for unions, best practices, research) and on teaching abroad (with country profiles, individual stories, and union details).[9] The launch of the portal was accompanied by publication of a report titled *Getting Teacher Migration & Mobility Right* (Caravatti et al. 2014), which presented the findings of a global teacher migration survey; it included information about the strategies employed by unions to advocate on behalf of migrant teachers and concerns for unions relating to teacher migration and mobility. Overall, however, EI's focus

has been on teachers engaging in long-term rather than temporary migration. Moreover, like PSI, its constituency is white-collar, skilled workers, who have a much stronger bargaining position than many of the workers represented by the GUFs with a private sector focus.

International Transport Federation

The ITF has no formal global program on migrant labor, but it has engaged with temporary labor migration in a number of ways. Its long-standing Flags of Convenience campaign has secured collective agreement coverage for ships' crews regardless of nationality, and its maritime inspectors play an important role in the protection of migrant worker rights. Agreed-to conditions, which are monitored by more than 150 ITF inspectors, have been enforced on close to 11,500 ships flying flags of convenience. Signatories to an ITF agreement are also required to make a contribution to the ITF Welfare Fund, which is used to provide union services to seafarers (ITF 2015a).

The ITF's engagement with land-based temporary labor migrants employed in other transport sectors is less robust. In large part, it has limited its engagement to participating in campaigns driven by the ITUC, such as the "Rerun the Vote" campaign. In the lead-up to the 2022 World Cup, the ITF focused its engagement in this campaign on the 90 percent of Qatar Airways employees who are temporary labor migrants: like foreign workers employed by Emirates and Etihad Airways, these employees are denied rights such as freedom of association and collective bargaining and are forced to live with the risk of deportation under the *kafala* system, under which migrant workers are the responsibility of a sponsor or employer, rather than the state (ITF 2013).[10] The ITF also collaborated with the ITUC to submit a case to the ILO against the state of Qatar for violation of ILO Convention No. 111, "Discrimination in Respect of Employment and Occupation," in which Qatar Airways was accused of workplace sex discrimination and restricting women's rights (ITF 2014c). Migrant workers have also been included in some of the ITF's sectoral projects, including the fisheries project described in chapter 4.

Some ITF affiliates have followed the federation's lead in their direct engagement with temporary labor migrants. For example, in 2007 a Norwegian affiliate devised a strategy to reach out to migrant workers in an attempt to shore up its declining membership. Following a successful recruitment campaign waged as part of the ITF's Road Transport Action Week, the Norwegian union ran a similar action week aimed specifically at workers from different migrant communities. To reach those workers, the union produced promotional material in

a variety of languages (ITF 2007). The home page of the English-language version of the Norwegian Transport Workers Union website, which is also available in several other languages, is aimed squarely at foreign workers.[11] On balance, however, temporary labor migration is a relatively low priority for the ITF, which has only recently turned its attention to corporate and thematic campaigns of any kind (head of the ITF's supply chain and logistics organizing program, interview, August 2015).

IndustriALL

Although the manufacturing sector employs a considerable number of migrant workers, the manufacturing GUFs—which merged to form IndustriALL in 2012—took relatively little interest in migrant labor issues in the first decade of the twentieth century.[12] Indeed, only the IMF ever entertained the possibility of developing a program focused on migration.

Under pressure from European affiliates that had long-standing programs for migrant workers, the IMF first considered developing a program in the lead-up to its 2009 Congress (IMF program officer, interview, August 2009). In a resolution passed at that congress, affiliates "pledged to promote the rights and freedoms of migrants, promote solidarity actions at the workplace and fight to affirm the universality of the rights of citizenship." In addition, the resolution called for "strong union action to use collective bargaining to promote integration, equal opportunity and respect for diverse cultures, and to promote campaigns against xenophobia" (IMF 2009, 7). The IMF's next step was to conduct a survey of its affiliates in twenty-five countries (IMF migration project officer, interview, August 2009). The survey report noted that migrant workers were present in all the industries represented by the IMF, but that they were poorly unionized and their employment was precarious. While recognizing that most affiliates did not have a focused organizing program for migrant workers, the report nonetheless concluded that "affiliates clearly put a high priority on addressing migrant workers' rights" (IMF 2009, 7).

These survey findings were presented at the IMF Conference on Migrant Workers as Precarious Workers, convened in Bangkok in November 2009. It brought together delegates from the IMF's European, Latin American, and Asian affiliates, who identified a broad range of possible activities, including cross-border campaigning, collaboration with NGOs, service work, and organizing (IndustriALL 2009). It also featured a presentation by Jin Sook Lee, then the project officer responsible for BWI's Asian migration project. The resolutions of the Bangkok meeting called for initiatives to develop networks for sharing strategies, increased

cooperation between unions in sending and destination countries, campaigns to remove restrictions on migrants' rights to join unions, and cooperation with NGOs and community groups. There has been little, however, in terms of follow-up on these action points, even after the manufacturing GUFs joined forces under the banner of IndustriALL.

Where IndustriALL has engaged with temporary labor migration, it has primarily been in the form of embedding references to migrant workers in Global Framework Agreements.[13] For example, in 2012, it signed an agreement with the recruitment and service provider Brunel in response to the Australian government's policy on temporary migrant labor (IndustriALL 2012b). In the following year, BWI and IndustriALL co-signed an agreement with Lafarge, a multinational producer of cement and aggregates, under which Lafarge agreed to ensure that its suppliers and subcontractors refrained from engaging in "practices that aim to diminish the rights of migrant workers" (IndustriALL 2013a). IndustriALL also deals with migrant labor indirectly through its programs on precarious work, which include projects on workers in electronics and shipbreaking. In 2013 its Shipbuilding–Shipbreaking Action Group undertook to "strengthen and organize precarious workers (especially sub-contracted workers, foreign and migrant workers) and improve their working conditions through collective bargaining" (IndustriALL 2013e).

Like many of the other GUFs, IndustriALL also reports regularly on migrant worker exploitation (IndustriALL 2014b, a) and migrant workplace deaths, such as the cases of fourteen Vietnamese tailors who died in a clandestine sewing factory in Russia (IndustriALL 2012a) and seven Chinese garment workers who died while sleeping in a textile factory in an industrial zone in Italy (IndustriALL 2013b). It has also partnered with other organizations on a small number of migrant-related projects, such as an anti-trafficking project in South Asia run by the ILO, which focused on female migrant workers (IndustriALL 2013c). However, migration is not an identified priority at the global level, and it remains a relatively minor theme in IndustriALL's work (IndustriALL policy director, interview, September 2015).

UNI Global Union

UNI represents white- and blue-collar service sector workers in a broad range of occupations, including cleaning and security, commerce, finance, gaming, graphic design and packaging, hair and beauty, information and communication, postal services and logistics, and entertainment. Yet despite the significant role played by temporary migrant labor in many of these occupations, migration

is not one of UNI's core priorities at the global level (UNI deputy general secretary, interview September 2015).

Like IndustriALL, UNI engages with the issue of temporary labor migration at the headquarters level primarily through its negotiation of Global Framework Agreements. This effort has been focused on global recruitment agencies such as Manpower, Randstad, and Adecco (UNI 2012). UNI also claims it was the first GUF to develop a "union passport," which (in theory at least) entitles migrant workers who are members of a GUF affiliate in the country of origin to receive services from, and in some cases reciprocal membership of unions, in the destination country. These passports, which have since also been produced by a number of other GUFs, typically include an overview of migrant workers' rights in the destination country and information about local unions and emergency contacts, translated into the language of the country of origin. Perhaps uniquely, the targets of the UNI passport initiative have included professional and managerial staff (UNI n.d.).

There has, however, been considerably more migration-related activity at the regional office level. In Africa, this has led to agreements with relevant postal unions that include a commitment to the development of a low-cost international money transfer system of benefit to migrant workers (UNI 2013a). In Asia, UNI's regional office has also joined PSI and BWI in several regional initiatives that reach beyond its core sectoral focus on private sector service employees.

Implications for Asia

Temporary labor migration is now firmly established as an issue of relevance to the international labor movement, bolstered both by the European experience and the stance taken by the ILO on temporary labor migrants' identity as workers as well as migrants. While not all GUFs see temporary labor migration as a key priority, the large GUFs have—without exception—engaged to some extent with migration-related initiatives either at the headquarters or regional level. Each GUF has its own way of working, however. The public sector GUFs have tended to favor labor diplomacy efforts, which leverage their established relationships with state and multilateral actors. IndustriALL's migration strategy is influenced by the practices of large European unions in the metals and chemicals sectors, which have also traditionally favored dialogue and social partnership—an orientation reflected in its historic reliance on Global Framework Agreements as a core strategy. By contrast, UNI and the IUF, which represent less unionized sectors, have long positioned themselves as more campaign-oriented organizations—a direction that has also been increasingly adopted by BWI.

As the discussion in this chapter has also suggested, back-donor agendas and structural contingency explain variations in the preferred strategies of the GUFs and their different levels of engagement with temporary labor migrants in different regions and countries. It is clear that the interests of European SSOs—and the national foreign aid programs that underwrite much of their financial capacity—influence the relative emphasis placed on different issues by the GUFs, particularly in their development work. As governments tighten controls over their funding streams, support from the SSOs is becoming increasingly tied to particular country contexts and particular types of interventions. Along with structural factors, which include not only the relative influence of head office priorities and regional interests but also the intensity and quality of a GUF's relationships with its local affiliates, these back-donor agendas largely determine the country focus of the GUFs' engagement. And while the repertoires of action favored in a particular country or region are influenced from above, they are also constrained from below by the opportunities and limitations imposed by local context. It is these issues, and the extent to which GUF interventions have succeeded in influencing local union rhetoric and practice in Asia, that are the focus of the next two chapters.

4

THE GUFs AND MIGRANT WORKERS IN ASIA

The GUFs' Asian labor migration programs are part of a broad suite of campaigns and initiatives at the global, regional, and local levels. Their programs may incorporate specific projects designed to increase their affiliates' engagement with temporary labor migration, many of which are funded by European SSOs. The constraints imposed on the SSOs by their home governments mean that most of these projects target the poorer countries, which are countries of origin, not destination, for temporary labor migrants. The fact that some GUFs have nevertheless experimented with a range of migration-related initiatives in the region's destination countries reflects the emphasis on migration that characterizes both the GUFs' regional priorities and the funding priorities of the different SSOs that support them.

To what extent are the GUFs' Asia programs determined by donor interest or structural contingency? And how influential is local context in shaping the GUFs' modes of engagement in Asia? A fine-grained examination of the GUFs' regional programs reveals that funding relationships—including the balance between the SSOs' direct work and their support for the GUFs—are indeed highly influential. However, these programs are also affected by structural contingency and local context. While they are most often driven by plans devised at the headquarters level, programs are reinterpreted in response not only to local context but also the interests and beliefs of the individuals who staff the GUFs' regional offices. As a consequence, the particular combination of strategies used by GUFs in Asia differs considerably from that employed globally.

Factors Shaping GUF Engagement in Asia

As discussed in the previous chapter, back-donor agendas have a strong influence on the form and focus of GUF programs. In Asia, the availability of third-party funding for migration-related projects has largely determined their emphasis. As a result, many of the GUFs' migration projects are implemented in countries of origin. Where GUFs have implemented initiatives in one or more destination countries, the intensity of that engagement and the models employed have been limited by the availability of funding. Equally important, however, have been the particular interests and capacities of the individuals who staff the GUFs' regional offices. Together with a host of context-specific factors that determine the operational space available in any particular country, these influences shape the GUFs' capacity to implement their migration projects in Asia.[1]

Funding Relationships and Back-Donor Agendas

The Asian region's size and level of development combine to make it one of the highest priorities for European SSOs and the government ministries that provide much of their funding. The "fundability" of specific projects, however, is determined by a complex interplay of factors, only some of which are financial (SSO representatives, interviews, various years). For example, until recently virtually no development aid—including union aid—was available to Myanmar. Instead the FTUB, its union federation in exile, received strong support from the international labor movement beginning in the early 1990s. Myanmar's return to the international stage after the lifting of international sanctions brought with it a sudden flood of aid money for its rehabilitation, some of which is available to the international labor movement (field observations, December 2014). Country size is also influential: donors are inclined to pay more attention to large countries than to small ones, as illustrated in their different approaches to Myanmar and Timor-Leste, which receives very little international support. Former colonial ties may also play a part, as in the case of the Dutch government's longstanding support for programs in Indonesia. In addition, host government concerns about foreign influence may affect the SSOs' capacity to support projects in certain countries. The Indonesian government, for example, used the threat of withdrawing permission for FES's local office to operate to force it to end its work with Indonesian unions (field observations, June 2013).

The most important local factor, however, is a country's income level. As noted in the previous chapter, it is virtually impossible for the SSOs to leverage national aid programs for projects targeting countries that fall outside the parameters of state development assistance schemes.[2] Aid-based funding streams are most

readily available for low-income countries, which in Asia include Bangladesh, Cambodia, Laos, Myanmar, Nepal, and Vietnam. Funding is generally also made available to Indonesia, a key focus for the GUFs since it democratized in 1998, and sometimes to other lower-middle income countries such as India, the Philippines, Thailand, and Timor-Leste (World Bank 2015). It is virtually impossible to obtain funding from national aid budgets for projects in upper-middle-income destination countries like Malaysia, let alone in Singapore or the high-income countries of East Asia.

To obtain aid-based funding, SSO and GUF projects delivered in Hong Kong, Malaysia, Japan, Singapore, South Korea, and Taiwan must be presented as focusing on migrant groups, rather than host-country institutions (BWI regional representative, interview, August 2014). If they do not get external funding, these projects must rely on the much smaller internal resources of the SSOs or the GUFs or obtain grants from wealthy affiliates in a third country. The capacity of destination-country unions to leverage SSO support is thus limited. For their part, the SSOs' willingness to engage directly in destination-country projects is shaped by their own strategic orientations and elements of the country's employment relations regime, such as the union presence in migrant-dense sectors and union influence.

Despite these limitations, a large number of SSOs have funded labor migration projects in Asia, with a core group demonstrating a high level of commitment to the issue. One of the first to engage was the Solidarity Center, whose programs date to the mid-1990s. Initially, its involvement was a product of structural contingency and local context, rather than of head office strategy. Its involvement in labor migration began in Sri Lanka, where Tim Ryan—who later became the Asia regional program director of the Solidarity Center—opened a new country office in 1993 (Solidarity Center Asia director, interview, August 2014). Ryan's brief in Sri Lanka was to organize workers on the tea estates and export processing zones. While working with one of the Solidarity Center's local partners, the All Ceylon Federation of Free Trade Unions (ACFTU), Ryan learned that many of the women employed in the export processing zones had either worked abroad as foreign domestic workers or were considering doing so. In collaboration with the ACFTU and a women's rights organization called Women in Need, the Solidarity Center began providing pre-departure training and policy advocacy in 1994. This program later expanded, hosting annual meetings of country of origin governments to encourage them to agree on a set of common standards to present to destination countries (Solidarity Center Asia director, interview, January 2016).

In both Sri Lanka and Indonesia, where Ryan was posted in 1997, the Solidarity Center moved beyond traditional partnerships with unions to work with NGOs

and foster civil society networks. Although its migrant labor initiative in Sri Lanka began in collaboration with a union, it came to focus primarily on NGOs under Ryan's successor William Conklin (former Solidarity Center Sri Lanka country director, interview, April 2015). In Indonesia, several migrant labor NGOs were already active at the time of Ryan's posting. The Solidarity Center supported the formation of KOPBUMI, a powerful network that developed a strong presence in national policy debates (Solidarity Center Indonesia country director, interview, March 1999).

Ryan's decision to reach out to NGOs, first in Sri Lanka and then in Indonesia, was influenced by his experience working on child labor issues in India and Pakistan in the mid-1990s. When it became clear that unions in those countries had little interest in the issue of child labor, he had turned to the South Asian Coalition on Child Servitude. For Ryan, the decision to shift his focus to working with an NGO was obvious: "My attitude as a field person in Asia going back to the 1990s and even today is that we work with the organizations that are doing the work. As Deng Xiaoping would say, 'It doesn't matter if it's a black cat or a white cat as long as it gets mice.' If an organization is serious about promoting worker rights and helping them to organize, that's what I care about" (interview, January 2016). The Solidarity Center subsequently expanded its migration-related activities to Bangladesh, where it partnered with the Welfare Association for the Rights of Bangladeshi Emigrants Development Foundation, the Bangladesh Ovibashi Mohila Sramik Association, and local unions in data collection, advocacy, and awareness raising of the importance of safe migration among garment workers intending to seek employment abroad.[3]

The Solidarity Center has also supported a number of labor migration programs in Asian destination countries, notably Malaysia, Hong Kong, Thailand, and Taiwan. It became involved in Malaysia because of that country's importance as a destination for Indonesian migrant workers. When the Solidarity Center first made contact with the MTUC in 1999, the national center expressed no interest in engaging with issues concerning migrant labor (Solidarity Center Asia director, interview, January 2016). The central leadership then changed, and for several years the Solidarity Center provided funding for education programs for migrant workers run by the MTUC. At the same time, it began supporting Tenaganita, Malaysia's main migrant labor NGO (Solidarity Center migration and human trafficking specialist, interview, February 2016). This link with Indonesian migrant labor civil society organizations was also a factor in Hong Kong, where the Solidarity Center worked with the HKCTU, funding an organizer and subsidizing expenses for organizing and advocacy activities among foreign domestic workers (Solidarity Center migration and human trafficking specialist, interview, February 2016).

By contrast, in Thailand, the Solidarity Center's migration work grew out of its engagement with the FTUB. The Solidarity Center encouraged collaboration between migrant worker groups and Thai unions in Mae Sot, where it also set up a labor law clinic in a collaboration with Forum Asia and the Thai Bar Association (Solidarity Center Thailand country director, interview, February 2007). It later worked with the State Enterprise Workers' Relations Confederation (SERC), TLSC, and the Human Rights Development Foundation to support the establishment of MWRN, an initiative that has since attracted support from the ITUC and a number of the GUFs (MWRN 2015).

The Solidarity Center has no ongoing work with Taiwan. However, a project involving its Asia and Americas programs led to a pilot project that between 2010 and 2012 provided basic education about unions and rights under Taiwanese labor law to Vietnamese labor migrants, most of whom were industrial workers. In addition to working directly with Vietnamese migrants, the Solidarity Center also delivered training to members of the TCTU using strategies it had developed in the Malaysian and Thai contexts (Solidarity Center Asia director, interview, January 2016).[4]

While the Solidarity Center has focused directly on initiatives with local unions and CSOs, the SSOs of Northern Europe have favored a combination of direct projects and GUF-mediated engagement, in some cases working primarily through the GUFs. As noted in the previous chapter, FNV Mondiaal has a particularly strong focus on migration, having driven the demand for migration-related projects in several cases. While some of the most influential projects in its portfolio have been directed at foreign domestic workers, it has also funded major initiatives in other sectors, including BWI's Asian migration project (FNV project officer, interview, April 2010). LO-Norway is also strongly committed to working on migration: according to its senior advisor for Asia, migration is a "difficult issue to deal with," but nevertheless remains "high on the agenda" (interview, September 2015). In addition to funding the Hong Kong domestic worker organizing initiative described in chapter 5, LO-Norway has supported efforts to improve Burmese migrants' access to labor rights in Thailand and Nepali workers' organizing efforts in Malaysia. The Finnish SASK has also provided funding support to a number of the GUFs for migration-related projects, including aid for union engagement with the Global Forum on Migration and Development. Between 2010 and 2013, it also provided support for BWI's global migration project, which focused on Asian countries of origin and destination, as well as a number of countries in Latin America and the Gulf. After that project was completed, it continued to fund work in India aimed at strengthening migrant worker communities (SASK program officer, interview, August 2015). For its part, FES funded regional migration programs targeted at domestic workers and advocacy

work with ASEAN parliamentarians, both of which were coordinated by its Singapore office (FES regional representative, interview, November 2014).

As occurs at the global level, sometimes several SSOs have supported a single program, with different donors supporting different actors involved in it. For example, when BWI, the General Federation of Nepalese Trade Unions (GEFONT), and the MTUC collaborated on a project in Malaysia, the three organizations involved were funded by FNV Mondiaal, LO-Norway, and the Solidarity Center, respectively (BWI regional representative, interview, June 2014). To avoid duplication of services and generate synergies between the efforts of different organizations, the European SSOs consult informally and SSOs from Europe and elsewhere attend annual SSO-GUF meetings in Singapore; in addition, more focused meetings of GUFs and SSOs have been held to discuss their programs in single countries in recent years (field observations, April 2010). While migration is by no means the only topic on the agenda at all of these meetings (field observations, November 2009 and November 2014), it is an area in which collaboration is both highly developed and particularly fruitful.

One of the most innovative collaborative initiatives supported by the European SSOs was a program run in conjunction with MFA to promote collaboration between Asian NGOs and unions. MFA began working with the international labor movement as part of its efforts to persuade the ILO to formulate a convention on domestic worker rights. It was in this context that MFA was invited to a 2003 Regional Tripartite Meeting organized by the ILO to discuss the challenges associated with labor migration policy (MFA project coordinator, interview, June 2008). In the following year, MFA sent a delegation charged with raising awareness of temporary labor migration and exploring ways of strengthening partnerships between the NGOs and unions to the 2004 International Labour Conference (MFA 2009, 72).[5] After its delegation participated in this series of workshops and conferences, MFA established two more formal collaborations with the GUFs, one funded by the ILO and the other by FES and LO–Norway.

Initial discussions about possible collaboration with the GUFs—which themselves had by that time begun thinking more systematically about temporary labor migration in the region—took place in early 2005. Later that year, MFA and the GUFs embarked on a structured program of engagement funded by both LO–Norway and FES (MFA regional coordinator, presentation to the People's Global Action on Migration, Development and Human Rights, October 2008). In the initial phase of this program, country studies were conducted of union and NGO engagement with migrant labor in Indonesia, Malaysia, the Philippines, and Singapore; those reports' findings were then presented at a workshop in Singapore in August 2005.[6] In a complementary initiative, the ILO provided additional financial support to MFA for a series of workshops designed to identify potential

areas of collaboration between NGOs and local unions at the national level and to strengthen links between NGOs and unions in sending and receiving countries.[7] The first of these workshops was held in August 2005 in Jakarta (Macabuag and Dimaandal 2006), after which a further series of meetings were funded by the European donors in the lead-up to the 2008 Global Forum on Migration and Development in Manila.[8] MFA later collaborated on a long-term advocacy project with the Solidarity Center (Solidarity Center Asia director, interview, January 2016). Its work with unions intensified as the campaign for the domestic workers convention reached its peak. MFA representatives subsequently attended the International Labour Conferences of 2010 and 2011, where the convention was discussed and a resolution in support of it ultimately passed.[9]

Regional-level donor agendas were important to this program. FES's Manila office has had a particular interest in migration and has worked to increase collaboration between NGOs and unions, each of which possess "specific strengths and advantages in dealing with migrants' issues" (Barriga and Herberg 2006, 429). Reflecting on the strategy nearly a decade later, a staff member observed that the Manila office has focused on exploring the effectiveness of different kinds of migrant labor organizing and has identified NGO–union collaboration as a strategic tool in this domain (FES Philippines office staff member, interview, May 2014).

The availability of funding resources is a key determinant in whether to prioritize migration over other issues and, if so, how and where campaigns might be pursued. But while funding relationships and back-donor agendas are important, they are by no means the only factors influencing the GUFs' strategic decision making or practices of relating to temporary labor migration. Once a decision is made, a GUF's capacity to implement any given program is in large part determined by structural contingencies within the GUF itself and by its relationship with its affiliates.

Structural Contingency

Within each GUF, all seven Asian destination countries fall under a single regional office. For all but two of the GUFs, those regional offices are located in Singapore or Malaysia—two of Asia's most important destination countries for temporary labor migrants—where they encounter the issue of temporary labor migration on a daily basis.[10] The regional offices' proximity to each other also allows for regular contact between the Asia-Pacific representatives of different GUFs. In some instances, it has resulted in collaboration or at the very least cross-fertilization of ideas about the GUFs' strategies on temporary labor migration.

The orientation, experiences, and personal attributes of the individuals who staff the regional offices have been significant determinants of the extent to which

the GUFs have chosen to focus on labor migration and the ways in which that work has evolved. Based in Singapore, Christopher Ng, UNI's long-standing regional secretary, and Katsuhiko Sato, PSI's regional secretary from 2004 to 2010, both had a personal commitment to expanding their affiliates' engagement with migrant labor (interviews, June 2008). Ng was a particularly strong proponent of engagement with regional processes and collaboration with NGOs. Sato introduced a number of regional initiatives, primarily focused on issues such as mutual recognition for nurses in ASEAN countries and awareness raising among destination-country unions not included in PSI's global Migration and Women Health Workers Project. In mid-2007, Sato and Ng were joined by BWI's new regional representative, Ambet Yuson. Yuson was no stranger to the issue of migration when he arrived in Kuala Lumpur, having helped develop BWI's Asia migration project in his previous role as BWI's education secretary in Geneva (interview, June 2008).

The personal beliefs and interest in migrant workers held by other GUFs' regional staff influence their decisions not to engage with temporary labor migration in Asia. Despite the presence of large numbers of foreign workers in the hospitality sector in a number of Asian destination countries and in the plantation sector in Malaysia, the IUF's regional secretary, Ma Wei Pin, had little interest in migrant labor, which he saw as peripheral to the labor movement's main agenda (field observations, November 2006). As a consequence, the IUF had little engagement with migration-related activity during his tenure, despite its close relationship with the HKCTU. Similarly, Arunasalam, the IMF's regional representative, took no interest in migrant labor, despite the strong presence of temporary migrant workers in manufacturing in Malaysia, where the IMF's regional office was located before it was subsumed into IndustriALL.[11] This lack of interest reflected not only the IMF's relative lack of engagement with migration issues at an international level but also Arunasalam's personal belief that migration was not relevant to its work (interview, August 2009).

Those regional representatives who were committed to improving conditions for temporary labor migration have engaged in extensive collaboration efforts focused primarily on advocacy and network building, with the aim of influencing regional policy discussions on the development of the ASEAN Economic Community; this was a personal priority for Ng (interview, July 2014). They also worked to strengthen networks between their affiliates, as well as between unions and NGOs. The signing of a Memorandum of Understanding in December 2013 between BWI, PSI, and UNI, the ASEAN Services Employees Trade Union Council (ASETUC) and MFA extended high-level collaboration beyond advocacy to include organizing and servicing. This agreement committed the parties to developing and implementing joint activities aimed at increasing affiliates'

recruitment of migrant workers, working together to achieve legislative change at the national level, and cooperating in the provision of services, advice, and assistance to migrant workers (UNI 2013). As its list of signatories suggests, it was this particular group of GUFs with which MFA engaged from 2005 as part of the program supported by FES, LO-Norway, and the ILO.

A second element of contingency within the structures of the GUFs themselves is related to the presence or absence of country representatives and dedicated program staff. In most cases, the GUFs maintain regional offices, but do not have a standing presence elsewhere in the region, except when they are engaged in a particular project in a single country for an extended period. For example, EI, PSI, IUF, and UNI have had project staff based in Indonesia for significant periods of time. The presence of an energetic local staff member can greatly enhance the operation of a GUF, but the impact of a single individual cannot compete with that of a country office (field observations, various years). Indeed, as an evaluation of SSO and GUF engagement in Thailand confirmed, the presence of country offices greatly enhanced the impact of the Solidarity Center and FES in that country, as compared to that of the GUFs (Charoenloet, Ativanichayapong, and Wanabriboon 2004, 10).[12]

The presence or absence of regional program officers yields a similar pattern. BWI's Asian migration project was driven and shaped by a dedicated project officer in South Korea, who traveled extensively within the region in her role as regional migration coordinator before she joined the Geneva team tasked with developing BWI's global migration program in 2010 (BWI 2010). By contrast, PSI's migration and health project was run from PSI headquarters in Ferney-Voltaire, just over the Swiss border from Geneva in eastern France. The fact that the program coordinator was from the Philippines and had a long history of NGO activism there meant that she had a deep understanding of the situation in the region (field observations, April 2009). However, because of the location of her office—and the fact that only some of the countries involved in the project were in Asia—her engagement with issues specific to the Asian region was necessarily at an arm's length.

The third aspect of GUF engagement that is contingent on structural factors is the presence or absence of affiliates in migrant-dense industries or particular locations.[13] The number of affiliates of each GUF varies considerably between Asian destination countries (see table 8). It must be emphasized that having a large number of affiliates in a particular country does not guarantee that the country will receive a greater share of the time and energy of regional staff or that those affiliates will engage in a certain way with the GUF. For example, IndustriALL's affiliates in all seven countries are involved to some extent in its regional and global networks and solidarity campaigns, but its activities are concentrated in Japan,

TABLE 8. Number of GUF affiliates in Asian destination countries

COUNTRY	BWI	EI	IFJ	INDUSTRIALL	ITF	IUF	PSI	UNI
Hong Kong	3	2	1	2	9	2	4	5
Japan	5	1	3	10	14	4	5	15
Malaysia	7	5	1	12	10	5	6	24
Singapore	1	4	0	11	5	0	4	9
South Korea	1	3	1	6	9	8	5	8
Taiwan	1	2	1	3	5	0	1	3
Thailand	1	4	0	7	10	3	9	7

Source: GUF websites, 2015.

South Korea, Thailand, and Indonesia. Its meetings are often held in Singapore—where its regional office is located—but its Singapore affiliates are relatively disengaged from the GUF's broader work. Similarly, the IUF is active in Malaysia, Thailand, South Korea, and Hong Kong, but has relatively little engagement in Japan, Singapore, or Taiwan. In Asia, BWI is most active in Hong Kong, South Korea, and Malaysia, although Thai unions have also participated in campaigns targeting multinational companies. EI has a strong focus on Japan, Malaysia, and South Korea, and PSI is mainly active in Japan and South Korea, where it has been supporting efforts to shore up basic union rights.[14]

A capable and amenable affiliate in a relevant sector is an important prerequisite for a successful project. The fact that Malaysia's blue-collar National Union of Plantation Workers (NUPW) is not affiliated with the IUF presents a real obstacle to attempts to engage with migrant workers, who are almost by definition employed in blue-collar positions (NUPW executive secretary, interview, August 2009). BWI's Malaysian migration project was confined to its affiliates in the timber sector because of its construction industry affiliate's lack of interest and capacity (BWI regional representative, interview, June 2008). In Thailand, unions in migrant-dense sectors of the economy are weak and poorly integrated into the international labor movement, which means that the GUFs there have had little choice but to seek out other partners, such as the SERC—an affiliate of both PSI and the ITUC—which is itself not active in migrant-dense sectors, or the TLSC, which as noted in chapter 2, is a network of unions and NGOs.

The geographic footprint of a GUF's affiliates is also important, given that unions are not always strong in areas where migrant labor is concentrated, such as Special Economic Zones or border regions. The scope of BWI's Malaysia initiatives, for example, has been strongly influenced by the fact that national unions only cover Peninsular Malaysia and the state-based unions found in eastern

Malaysia are uniformly weak (field observations, February 2007). As a consequence, although exploitation of migrant labor is clearly a pressing issue in the eastern state of Sabah, BWI's migrant labor program is concentrated in the peninsula, where its affiliate in the timber industry is small but relatively well established, in contrast to its affiliates in the eastern states. In the case of Thailand, migrant-dense garment manufacturing hubs like Mae Sot are located on the Thai-Myanmar border, where local unions have no presence (Ford 2007). Because migrant workers are prohibited by law from forming their own unions, the absence of local unions precludes them from engaging in any officially recognized form of collective organizing in the border zone.

Even where a strong affiliate is present in the relevant sector and geographic location, taking on the difficult work of migrant labor organizing may not be an internal priority. In such cases, the arguments from the GUFs about the benefits of doing so may fall on deaf ears. For example, representatives of several GUFs have reported difficulties convincing mainstream unions to even acknowledge Japan's status as a destination country for temporary labor migration—let alone encouraging them to actively engage with foreign workers (GUF regional representatives, interviews, June 2008 and April 2009). As noted earlier, weaker affiliates may well be more willing to take on an international initiative, although this approach carries the risk that a local union may feel obliged to take on a project to access funding without any serious commitment to its goals. Even where genuine buy-in is evident, weaker affiliates may also not have the capacity to effect change, regardless of the levels of financial and other support provided.[15]

Local Context

The success or failure of programs formulated within the same broad strategic orientation and administered through the same regional office is ultimately determined by the different contextual factors and constraints operating in different destination countries. Union capacity is closely related to elements of each country's employment relations regime—in particular, the nature of the formal industrial relations system and the strength and militancy of the union movement. As discussed in chapter 1, different features of each country's labor migration regimes are also salient, since the intensity of migration differs from country to country and from sector to sector. Yet while the degree of importance and urgency attributed to labor migration is shaped by the size of migration flows and the treatment of migrant workers by governments and employers, the extent to which labor migration attracts civil society interest depends on a country's general political climate and, in particular, on the level of state control on the political rights of individuals and civil society organizations.

Constraints on freedom of association influence the opportunities available to the international labor movement in particular national contexts. For example, the Indonesian labor movement was an important target for Dutch and other northern European governments seeking to promote democratic reform during the later decades of the country's authoritarian rule. However, government restrictions on freedom of association meant that these funds were channeled primarily through labor NGOs and informal workers' groups, rather than through the government-controlled official union (Ford 2009). Some SSOs, including the Solidarity Center, worked with the alternative labor movements during this period. However, the ICFTU and the ITSs (as the GUFs were then called) worked primarily with the state-sponsored union. Since the beginning of democratization in 1998, the GUFs and the SSOs have been able to work more freely with independent unions—although Indonesia's State Intelligence Agency and other arms of government began to monitor the activities of unions and their international partners more closely as the independent labor movement gained momentum (field observations, 1998–2015).

The existence or lack of freedom of association also has specific ramifications for the strategies available for organizing temporary labor migrants in Asia's destination countries. In Japan, Malaysia, Singapore, Thailand, and, until recently, Taiwan, the fact that foreign workers are not permitted to form their own unions has meant that this tactic, which has proven fruitful in Hong Kong and South Korea, has been unavailable to migrant workers and their allies. Where foreign workers' freedom of association is limited to the right to join a mainstream union, the GUFs must rely even more than in other contexts on the ability and willingness of local unions to recruit temporary labor migrants and on the capacity of those unions to serve the needs of migrant recruits.

Another important contextual factor in Asian destination countries is the role of national centers and their relationship with the GUFs. The national centers have a relatively prominent role in national policy debates and represent national labor movements within the structures of the ILO. This means that the chances of effecting systemic change are low if national centers are hostile or even just indifferent to foreign workers. As noted in the previous chapter, the Asia-Pacific Regional Office of the ITUC has done little beyond hosting a series of meetings to facilitate information exchange, leaving the SSOs and the GUFs to engage directly with national centers on temporary labor migration. BWI has worked closely with national centers in Hong Kong, South Korea, and Malaysia, and the IUF also has a long-standing relationship with the HKCTU; UNI and PSI have worked with the MTUC. In the Thai and Singaporean contexts, GUF involvement in temporary labor migration has in fact been limited to engagement with national centers. In Thailand, a large number of the GUFs have

collaborated with SERC, while PSI, UNI, and BWI have engaged with the NTUC in Singapore.

Finally, the degree of an affiliate's openness to working with outsiders also influences the GUFs' decisions on whether to encourage local unions to collaborate with migrant labor NGOs. The regional project with MFA aimed to foster such relationships throughout the Asian region. At the national level, however, the success of these attempts is hostage to the willingness of both parties to cross the union–NGO divide. For example, BWI has pushed its local affiliates in Malaysia to enter into a collaboration with Tenaganita, which has proven to be productive despite historically high levels of suspicion between Tenaganita and the union movement (BWI regional coordinator, interview, August 2014). In other contexts, direct collaboration with NGOs has opened up access not available through the GUFs' own affiliates. In Thailand, for example, BWI has worked with Thai NGOs to encourage its local affiliates to recruit migrant workers (BWI regional coordinator, interview, August 2014). For its part, UNI has not only urged its affiliates in Thailand to work with NGOs but has also encouraged labor NGOs to transform the groups they support into unions (UNI regional secretary, interview, June 2008).

As a strategy, sustained engagement with NGOs is not without its risks. It has worked in Hong Kong and South Korea, where SSOs and GUFs encouraged mainstream unions, including national centers, to accept migrant-only organizing initiatives that had their genesis in NGO-sponsored groups. By contrast, in Thailand, "a critical debate took place when a GUF decided to conduct its program through an NGO-led union group rather than co-operate with its former labour federation affiliate . . . . The event led to conflicts in the relations between the GUF, local labour unions and the NGO and confusion about the role of NGOs and trade unions in the labour movement" (Charoenloet, Ativanichayapong, and Wanabriboon 2004, 6). More generally, the development of deeper, more sustained collaboration between local unions and NGOs has proven to be elusive, not only because of the weakness of local unions in many Asian contexts but also as a result of differences in NGO and union agendas.

The GUFs' Migration Projects in Asia

As a collective, the GUFs have been involved in a modest but significant number of migration-related projects in Asia, some of which have exclusively involved their affiliates and some of which have engaged national centers or NGOs as well. Yet the extent to which individual GUFs have focused on temporary labor

migration in the region has varied dramatically both because of head office directives and regional and local factors.

The least engaged GUF has been EI, which has had little involvement with temporary migrant labor in the region. Following the adoption of a Resolution of Teacher Migration and Mobility at its 2011 congress, EI's Asia-Pacific regional office embarked on a three-year project (2015–2017) funded by FES and directed at teachers from Indonesia and the Philippines working in Malaysia (EI regional secretary, interview, November 2014). Research conducted in preparation for this project revealed that many Filipino teachers were working not only as teachers but also as care workers or even domestic workers (EI, Lärarförbundet, and ASEAN Women's Network 2013). The main objective of the project was to assemble an evidence base for advocacy targeted at governments in the region. EI has also sought to link migration to its Education for All initiative by including the children of migrants, whether documented or undocumented, among those with a right to a quality education (EI 2011).

Another three GUFs are involved in relatively targeted forms of engagement. While it has not been heavily involved in migration-related issues in the region as a whole, the ITF engaged in an initiative on the seafood sector in several Asian countries, including Thailand and Taiwan, where migrant workers comprise a significant proportion of the fisheries workforce, through programs funded by FES (ITF official, interview, August 2015). In conjunction with this initiative, the ITF signed a Memorandum of Agreement with the IUF in 2010, which committed the GUFs to a joint organizing program that focused on workers on fishing boats and in fish-processing factories (ITF 2014a). Renewed in 2014 and called "From Catcher to Counter," the project did not deal explicitly with migrant workers, but necessarily included those in migrant-dense locations. In addition to calling on governments to ratify ILO Convention No.188 concerning Work in the Fishing Sector, the project partners aimed to strengthen unions and increase their membership, to standardize conditions across multinational companies, and to improve the terms and conditions of work (ITF 2015b). The project has launched a campaign encouraging European retailers to stock ethically produced seafood, engaged with regulators, and organized initiatives in countries where seafood processing occurs. The ITF has also provided support for MWRN, which operates in the Thai province of Samut Sakhon, where hundreds of thousands of labor migrants from Myanmar are employed (ITF deputy regional secretary, interview, February 2015). The ITF was the first of the GUFs to engage with this initiative, which has since drawn support from a number of others, including BWI, UNI, and the IUF (MWRN 2015).

Like the ITF, the IUF engages with issues related to temporary labor migration in a targeted way, rather than positioning migration as a program theme (IUF

general secretary, interview, September 2015). In addition to its work in collaboration with the ITF in Asian fisheries, it has organized initiatives for temporary labor migrants in agriculture, where activities have included a joint campaign with Amnesty International in 2014 in support of Cambodian farm workers in South Korea (IUF 2014b, a). The campaign, which was initiated by Amnesty International, highlighted the need to reform the Employment Permit System, which was increasing the vulnerability of migrant workers (IUF 2014a). Following on from the success of the initial project, which gave migrant workers camera phones to document employer abuses, the two organizations have developed an ongoing relationship aimed at educating workers planning to enter the agriculture sector (international officer for agriculture and plantations, interview, September 2015).

The IUF's most sustained engagement with migrant workers in Asia has been with foreign domestic workers in Hong Kong. As noted in chapter 3, it has provided an institutional home for the Hong Kong-based IDWF. Launched in 2013, the IDWF is positioned as a special group within the IUF, which also accommodates a number of mainstream unions representing domestic workers (IDWF 2014b). As of 2015, the IDWF had fifty-six affiliates, twelve of which were in Asian countries, including Hong Kong, South Korea, and Thailand (IDWF 2015a). Asian members of the founding executive committee include a representative of the Hong Kong Federation of Asian Domestic Workers' Unions (FADWU), which is affiliated with the HKCTU (IDWF 2014b). Yet despite the strong presence of temporary labor migrants in the hospitality industry and the active engagement of the IUF's Asia-Pacific Regional Office in the hotel housekeepers campaign, no effort has been made to target migrant workers (IUF hotel, restaurant, and tourism sectors international coordinator, interview, January 2016).[16]

The third GUF to be involved in targeted initiatives is IndustriALL, which—like the IUF and the ITF—has not addressed temporary labor migration directly, but rather treated it as an element of precarious work (IndustriALL regional officer, interview, July 2014). Examples of this approach include its participation in the Good Electronics International Network (IndustriALL 2013d). As part of this broader collaboration, IndustriALL is involved in a project funded by the European Commission and led by SOMO, a Dutch research NGO that focuses on multinational corporations. The project also deals with Mexico and India, but the component for which IndustriALL has responsibility organizes electronics workers in Indonesia, Malaysia, Taiwan, Thailand, and Vietnam. With the exception of Indonesia and Vietnam, these countries employ temporary labor migrants in the electronics sector. As IndustriALL's director for ICT, electrical and electronics, shipbuilding, and shipbreaking observed when describing the Malaysian component of the project, "Organizing workers in the Malaysian electronics sector is synonymous with organizing migrant workers. You need the support of migrant

workers, if you are going to go to the employers. We have to encourage them to work in that direction" (interview, September 2015).

The three remaining large GUFs have engaged more explicitly with temporary labor migration in Asia, both through individual organizing and servicing projects and a joint focus on networking and advocacy. Of this group, BWI is most involved with migration in Asia, as indeed is the case globally. At the core of its Asia work is its long-standing regional migrant worker rights project, launched in 2005 and funded by FNV Mondiaal, which has served as a pilot for many of the strategies it has since adopted elsewhere (BWI gender, migration, and campaigns director, interview, September 2015).[17] The project grew out of a 2003 meeting of fourteen unions in Taiwan (CGU 2008). Its aims were to organize migrant workers and integrate them into existing union structures, develop and strengthen national and regional networks, and contribute to policy discussions on the management of migration (BWI migration project officer, interview, October 2008). BWI targeted affiliates in five destination countries that fell within the jurisdiction of its Asia-Pacific regional office—Malaysia, Hong Kong, Taiwan, South Korea, and Bahrain—as well as involving unions from four Asian countries of origin: Nepal, the Philippines, India, and Indonesia. By 2008, the project had deployed project organizers in Hong Kong, Malaysia, and South Korea; developed relationships with civil society groups and government; and recruited more than 1,000 migrant workers to destination-country unions (BWI 2008a). This total may be small, but in Malaysia and Hong Kong, the number of migrant workers recruited was substantial in relation to the overall membership of the relevant union.

When funding for this project tapered off, BWI moved to a strategy of "hybrid cooperation" involving cross-sectoral work in collaboration with PSI and UNI and their affiliates, as well as selected national centers (BWI gender, migration, and campaigns director, interview, September 2015). The most effective outgrowth of this strategy can be found in Malaysia, where BWI has worked with UNI and PSI to sustain a helpline initially established by UNI and to share the costs of the Nepali organizer whom BWI had funded for several years. Along with the cross-sectoral expansion of this project came the extension of cross-border organizing from an initial collaboration between GEFONT and the Timber Employees Union Peninsular Malaysia (TEUPM) to a broader project involving the MTUC and the Vietnam General Confederation of Labor. BWI has also involved its Asian affiliates in the campaign around the 2022 World Cup because many construction workers in Qatar come from Nepal, India, Bangladesh, Pakistan, and the Philippines (BWI regional representative, interview, June 2014).

While temporary labor migration is not a core priority for UNI globally, its Asia-Pacific office has invested significant time and resources in the issue. UNI affiliates in Hong Kong, Taiwan, and South Korea have been involved in discussions

on migrant labor, but the primary focus of UNI's efforts on migration has been on ASEAN. It was a leading voice in a sustained attempt to engage local and international unions in policy discussions about labor mobility in the lead-up to the establishment of the ASEAN Economic Community in 2015. Before engaging on the policy level, UNI focused on servicing in Malaysia; in 2006 its Liaison Council established a series of migrant worker help desks, staffed by volunteers from its Malaysian affiliates (UNI MLC president, interview, February 2007).[18] As noted earlier, this initiative was later co-funded by BWI and PSI. UNI-APRO also encouraged cross-border cooperation between its affiliates in Indonesia and Malaysia, leading to the establishment in 2008 of the Indonesian Migrants' Union (Union Migrant Indonesia [UNIMIG]), an Indonesian-registered union targeting Indonesians working in Malaysia. Significantly, however, not one of UNI's sixty-two affiliates in Malaysia has developed migrant worker programs on its own.

Finally, PSI's main initiative on migration in Asia was linked to its global Migration and Women Health Workers Project, which in turn was part of its overarching campaign for quality public services. The migration project's flagship initiatives were located in Africa and Oceania, but it also involved four countries in the Asian region. Key project strategies were to involve unions in key countries of origin—including the Philippines and Sri Lanka—in awareness raising among health workers considering migration and to develop union partnerships to foster the recruitment of migrant workers in destination countries such as South Korea and Japan. At the national level, PSI encouraged its affiliates to reach out to NGOs and diaspora groups. In Sri Lanka, the migration project engaged quite successfully with NGOs, because the nurses' union realized it did not have the capacity to implement the project without assistance. By contrast, unionists and NGO activists found it difficult to work together in the Philippines, though some progress was made through collaboration around the civil society days preceding the 2008 Global Forum on Migration and Development (PSI migration program coordinator, interview, April 2009). Less successful still were attempts to develop bilateral relationships between Filipino unions and unions in Japan, which were foiled by the Japanese unions' reluctance to recruit foreign workers. In addition to this sectoral program, PSI also collaborated with BWI and UNI on regional and country-specific initiatives, as described later.

Modes of Engagement

The GUFs' initiatives in Asian destination countries depend on the same modes of engagement that have characterized their interventions at the global level—advocacy, servicing, organizing—and networking and collaboration. In each in-

TABLE 9. Modes of GUF engagement in Asian destination countries

MODALITY	BWI	EI	INDUSTRIALL	ITF	IUF	PSI	UNI
Advocacy	✓✓✓	✓	✓✓	✓	✓✓	✓✓	✓✓
Servicing	✓✓				✓	✓	✓✓
Organizing	✓✓✓		✓✓	✓	✓✓	✓	✓
Networking and collaboration	✓✓✓		✓✓	✓	✓✓	✓✓✓	✓✓✓

Note: This typology is a variation on the one first developed in Ford (2013) to describe GUF engagement on temporary labor migration in Malaysia. The number of ticks reflects a comparative assessment of the intensity of engagement of each GUF in each of the four areas. This assessment of the ITF's engagement with migrant labor excludes its Flags of Convenience campaign.

stance, these approaches are combined in different ways depending on the influence of back-donor agendas, structural contingency, and the local context (see table 9).

As table 9 indicates, BWI makes intensive use of all modes of engagement. UNI has had quite a strong presence in advocacy and servicing, while PSI has had a significant level of involvement in regional advocacy collaborations and has made some attempts to engage in servicing and organizing. The IUF, the ITF, and IndustriALL, which are not involved in the regional GUF network on migrant labor, are nevertheless engaged in advocacy and some degree of collaboration, as well as individual organizing initiatives. By contrast, EI is only minimally engaged with the issue of temporary labor migration, as noted earlier.

Advocacy

Policy advocacy, both direct and through local affiliates, has constituted a major element of the GUFs' approaches to temporary labor migration in Asia because it is the most achievable form of engagement where unions are weak or where their members are indifferent or even hostile to temporary labor migrants. It is also the least demanding of the modes of engagement in terms of resources—although low-intensity forms of advocacy, such as incidental reporting of abuses of migrant worker rights, differ greatly from high-intensity forms, including sustained campaigns for legislative or policy change at the national or regional level.

The first hurdle faced by the GUFs—which should not be underestimated—is the task of convincing their own affiliates that they should shift from an anti-migrant position to recognizing migrant workers as a potential part of their constituency. While pro-migrant initiatives may begin at the grassroots, the decision to take a more inclusive institutional position on temporary migrant labor is usually made by the union leadership, in the hope that members can be persuaded to

back the initiative. One way that GUF and SSO programs seek to change attitudes among local union leaders is to expose them to the stories of individual migrant workers; for example, as part of the 2003 Solidarity Center initiative in Thailand, members of the Triumph International Thailand Labor Union were taken to Mae Sot to meet directly with migrant workers (Solidarity Center Thailand country director, interview, February 2007). Such programs may also stage events that aim to change attitudes within a pool of local union decision makers, as did the PSI migration and health program described earlier. Financial incentives, including offers of support for initiatives that focus in some way on migrant workers, or reporting protocols that require unions to document attempts to include migrant workers in broader programs are also used to encourage shifts in policy. These strategies have been used in several GUF and SSO programs in Asia.[19]

A second target of the GUFs' awareness-raising campaigns is the broader community of unions and individual unionists in advanced economies, who may be convinced to act in solidarity with migrant workers. All the GUFs generate accounts of migrant labor-related abuses for dissemination through their websites and union networks. BWI regularly posts articles describing or expressing concern about developments in Thailand; for example, its statements of support for unions assisting migrant workers during the 2011 floods and expressions of concern over the exodus of Cambodian migrant workers in response to threats of a crackdown by the Thai military in 2014 (BWI 2011, 2014a). Other examples of internal awareness-building efforts include criticism by IndustriALL of conditions endured by migrant workers in the electronics industry in Malaysia and critiques by the IUF of the systematic abuse of migrant agricultural workers in South Korea (IndustriALL 2013d; IUF 2014a).

An even more challenging objective involves convincing governments and the general public that temporary labor migrants should receive treatment equal to that of local workers. A key tactic is to raise awareness of the plight of temporary labor migrants through publicizing cases of abuse of migrant worker rights in the mainstream media; in many cases this involves leveraging media interest generated by NGOs or other sources. For example, in 2014 the ITF/IUF joint project on fisheries in Thailand benefited from intense media attention in the United Kingdom, including exposés by the British Broadcasting Corporation and *The Guardian* newspaper, the latter revealing the names of British retailers that had purchased seafood produced under highly exploitative conditions by migrant workers from Myanmar. The GUFs sought to leverage this interest to make the argument that labor organizing offered a "sustainable way to ensure that abuses are addressed" (IUF general secretary quoted in ITF 2014a). Attempts to change public and government opinion may also take more resource-intensive forms. When BWI's Korean affiliate held a rally to urge the South Korean government

to ensure the protection of workers' rights in construction projects for the 2018 Winter Olympics, BWI used the occasion to remind the government that many of the construction workers were migrants and that it had a duty to protect the rights of both local and migrant workers (BWI 2015b, a). Advocacy on this scale both improves the working conditions of temporary labor migrants and minimizes the likelihood of migrant labor being used to reduce the conditions of local workers in cases where measures are subsequently taken to protect migrant workers' labor rights.

More sustained forms of advocacy engagement generally take the form of public campaigns. The GUFs regularly develop small-scale, closely targeted campaigns in response to particular incidents involving migrant workers in Asia. For example, the ITF campaigned for the dropping of defamation charges filed by the Natural Fruit Company against Andy Hall, a British citizen and long-term migrant labor activist who had written a report for a Finnish NGO exposing migrant worker smuggling and other abuses in Thailand's fruit and fish industries (ITF 2014b). UNI and BWI also became involved with this case, organizing a petition and calling on the Thai government to ensure a third-party audit of company premises (UNI and BWI 2013). In South Korea, BWI supported Vietnamese construction workers who had been arrested after walking out on a project operated by Taehung Construction, a subcontractor for Hyundai Construction, in protest over their working conditions. In addition to publicizing the case, BWI and its South Korean affiliate organized a petition in support of the workers and lobbied for a not guilty verdict (BWI Connect 2011b, a).

Other campaigns of this nature make use of particular incidents or examples of abuse to call for systemic reform. This was the case in the IUF's campaign with Amnesty International for reform of the Employment Permit System in South Korea and IndustriALL's involvement in the Good Electronics MakeITFair campaign, which informed young people in Europe about labor abuses and environmental problems in the electronics industry in Asia. As part of the latter campaign, a major report was released in January 2013 that provided a detailed account of the working and living conditions of migrant labor in the electronics industry in Malaysia (SOMO 2013). The report was targeted at major companies, which the network hoped to engage in discussions about their responsibility to ensure ethical treatment of migrant workers throughout their supply chains. Although industry responses to the report were not overly positive, two companies responded by including migrant workers in their monitoring and training activities.

Sustained forms of advocacy can also involve labor diplomacy. Perhaps the best example of regional labor diplomacy directly involving the GUFs in the Asian region has been the Task Force on ASEAN Migrant Workers (TF-AMW), formed in 2006 to provide input into the ASEAN Declaration on the Protection and

Promotion of the Rights of Migrant Workers (TF-AMW technical consultant, interview, February 2007). Although the task force was dominated by NGOs, UNI was a core member, and the technical consultant employed on the project had a union background. The task force organized periodic consultations on the ASEAN mechanisms. These consultations involved unions and NGOs in locations around the region, and included a focused consultation in Kuala Lumpur in March 2007 on the importance of deepening the links between unions and NGOs (ASEAN CSOs-TUs 2007). Representatives of PSI and BWI participated in a number of events associated with this initiative, including a sub-regional consultation held in Singapore in the same year that was co-organized by the ILO, MFA, and UNI, among others (TF-AMW 2007). National consultations, such as that held in Cambodia in 2011, also subsequently involved both NGOs and unions (TF-AMW 2011a). The task force also supported national coordinating committees in which representatives of NGOs and unions participated. In Indonesia, coordinating committee members included the Human Rights Working Group and UNI's Indonesian affiliate, while the Malaysian committee involved representatives of the MTUC and Tenaganita (Robertson 2009).

After the ASEAN Declaration on the Protection and Promotion of the Rights of Migrant Workers was adopted at the twelfth ASEAN Summit in Cebu in 2007, the task force shifted its focus and began lobbying for the establishment of an ASEAN Framework Instrument on the Protection and Promotion of the Rights of Migrant Workers. Between 2007 and 2009, it held eight national and seven regional consultations that brought together unions, NGOs, and mass organizations with the aim of developing recommendations for national governments and ASEAN. This action culminated in the creation of a Civil Society Proposal for the Framework Instrument, which was presented at the second ASEAN Forum on Migrant Labor in 2009. The proposal contained 192 recommendations, including the establishment of regional systems to protect migrant workers, the creation of a regional human rights body, and the production of regular reports and evaluations on the situation of migrant workers (Samydorai and Robertson 2009). Not all these recommendations were adopted, and negotiations over the framework instrument stalled in the wake of opposition from destination countries. The task force was nevertheless successful in securing NGOs' and unions' inclusion in the annual ASEAN forums on migrant labor, which led to more engagement with ASEAN. Although its formal mandate concluded in 2009, the task force continued to hold national consultations and engage in lobbying; for example, meeting with the ASEAN Committee of Permanent Representatives to advocate for greater participation by civil society organizations at ASEAN forums (TF-AMW 2011b) and calling on ASEAN member states to ratify and implement the 2011 ILO Domestic Workers Convention (No. 189) (Samydorai 2011).

Servicing

Servicing has emerged as another particularly important mode of engagement in the GUFs' regional strategies on migrant labor, particularly in contexts where local unions are weak or where the GUFs are intent on reaching out to migrant workers in nonunionized sectors. A number of the GUFs have engaged in direct servicing initiatives, the first of which involved attempts to operationalize the "union passport" strategy described in chapter 3. Indeed, Hong Kong, Malaysia, and Taiwan were among the four countries where BWI's migrant worker rights passport was piloted globally, albeit to little effect. Another example of this kind of servicing is the pre-departure decision kits designed by PSI in collaboration with its Filipino affiliates as part of its Migration and Women Health Workers Project (PSI 2009b).

A second important servicing strategy is exemplified by the UNI Malaysian Liaison Council's migrant worker help desk initiative, which initially targeted foreign domestic workers who fell outside UNI's sectoral ambit (UNI-MLC president, interview, February 2007).[20] From the perspective of UNI's regional secretary, the "humanitarian" approach embodied in the help desk initiative was important because "the moral side can generate public support—that's why UNI started with the humanitarian side to open people's minds. By dealing with the human, compassionate side first, it becomes possible to promote higher level engagement among trade unionists on issues like wages and working conditions" (interview, June 2008).

Direct servicing initiatives provide support for temporary labor migrants in ways that do not require root-and-branch adjustments to the structure and operation of mainstream unions. In some cases, they were never intended to do more than assist foreign workers. In other cases, however, these initiatives were positioned within a broader program of activities intended to encourage mainstream unions to open their doors to those workers. For some of the GUFs at least, it was also this nexus between servicing and organizing that drove their collaboration with MFA—and, through it, attempts to encourage their affiliates in the region to work with local NGOs. This was certainly the case for BWI. In the words of Jin Sook Lee, formerly BWI's Asian Migration project officer, "Our primary goal in our collaboration with MFA was to organize migrant workers into unions. The way we envisioned it was that NGOs would continue to provide services and engage in outreach work, and we would work together with the primary aim of unionizing migrant workers" (interview, September 2015).

Ultimately, however, the GUFs were forced to rely primarily on their own resources and on spillover from the SSOs' direct projects, rather than on NGOs, in their attempts to encourage local unions to change their approach to temporary labor migration.

Organizing

Organizing is by far the most challenging mode of engagement in the Asian context, particularly in the countries where the GUFs are most active and where union movements are likely to be weak.[21] The degree of complexity associated with organizing increases considerably when the target is temporary labor migrants because of their outsider status, their position in the labor market, and the temporal limits imposed by their contracts. Given these difficulties, it is unsurprising that most of the GUFs' organizing initiatives have not sought to encourage the immediate integration of foreign workers into mainstream unions, but instead have involved collaboration with NGOs and national centers or other unions to pursue an intermediate strategy of separate organizing.

Where the GUFs have encouraged direct recruitment, they have not always succeeded. One example of a failed approach was PSI's attempt, as part of its Migration and Women Health Workers Project, to encourage Japanese unions in the health sector to organize Filipino and Indonesian migrant workers admitted to Japan under Economic Partnership Agreements (PSI migration program coordinator, interview, 2009).[22] The Japanese unions agreed to organize Filipino migrant workers in early 2008, the year in which the Japan–Philippines Economic Partnership Agreement was ratified (PSI 2008b). A year later, the Japan Councils of PSI and UNI held a joint workshop in Tokyo to examine the situation of Filipino nurses admitted under the agreement (PSI 2009a). However, the plan to encourage bilateral organizing failed, due to the Japanese unions' resistance to the recruitment of foreign nurses, despite early indications that they were open to the idea (PSI regional secretary, interview, June 2008). Ultimately, PSI was forced to shift its attention to national contexts where unions were more open to engaging with migrant workers (PSI 2015).

BWI has been successful in encouraging direct recruitment in some contexts but not in others. In Taiwan, its attempt to encourage its affiliate to recruit migrant workers began promisingly, with the affiliate undertaking to initiate a campaign on migrant worker rights. However, problems within the union and changes in the political climate led to the abandonment of the plan (BWI education secretary, interview, April 2009). Two key elements of BWI's organizing strategy elsewhere have been to establish bilateral relationships between affiliates in countries of origin and destination and to place unionists from countries of origin as organizers in destination-country unions. Although it proved difficult to convince unions in most countries of origin to engage in organizing, BWI had significant success with GEFONT, which gave permission to embed its organizers in a number of destination-country unions. In the Malaysian case, the Memorandum of Understanding facilitated by BWI between its Malaysian and Nepalese

affiliates played a key role in enabling the appointment of a Nepali organizer to target Nepalese migrant workers in the timber industry (BWI 2008b; CGU 2008). This, in turn, led to the successful recruitment of a substantial number of temporary labor migrants.

Important examples of migrant-only organizing emerged in the BWI project in Hong Kong and South Korea, where collaborations between GEFONT and local affiliates were less successful than in Malaysia (BWI gender, migration, and campaigns director, interview, September 2015). While significant progress was made in both contexts, the programs have failed to achieve long-term sustainability. The Memorandum of Understanding reached between GEFONT and the KCTU is often cited as a model case of integrated migrant labor organizing (KCTU international director, interview, December 2011).[23] However, the regular temporary labor migrant workforce is dominated by Korean Chinese workers, not migrants from Nepal, which means that this collaboration targets only a small section of the construction workforce. Because of this ethnic focus, organizing has focused on the recruitment of irregular construction workers into the MTU, which is affiliated with the same confederation as BWI's local affiliate but operates quite separately from it. In Hong Kong, attempts to integrate migrant workers—in this case, permanent migrants from Nepal—were frustrated by the inability of BWI's local affiliate to undertake the internal restructuring required to shift from a service orientation to a focus on organizing. In response, BWI supported the establishment of the Nepalese Construction Workers Union (NCWU), which was loosely associated with the mainstream union, but for a long time operated as a separate organization.

Another approach to migrant-only organizing is evident in Malaysia, where UNI pursued a separate organizing strategy despite legal barriers to the establishment of migrant-only unions. UNI circumvented these restrictions by working with its Malaysian and Indonesian affiliates to establish UNIMIG as an Indonesian-registered union that could represent Indonesian migrant workers in Malaysia. UNIMIG was tasked with facilitating the registration of Indonesian migrant workers before their departure to Malaysia, where they would be eligible for support from the UNI Malaysia Liaison Council's help desk (UNI regional secretary, interview, August 2009). When efforts on the Indonesian side of the collaboration proved inadequate, the UNI Malaysia Liaison Council began campaigning within Malaysia to increase UNIMIG's membership among skilled and low-skilled Indonesian migrant workers, including domestic workers (UNI MLC president, interview, August 2009). Although the effectiveness of UNIMIG was undermined by a lack of sustained engagement on the part of the Indonesian affiliate, chapters have nevertheless since been established in other destination countries, including South Korea, Hong Kong, and Taiwan (UNI regional secretary, interview, July 2014).

Networking and Collaboration

Networking and other forms of collaboration are deeply embedded in each of these strategies. The GUFs have devoted significant resources to network building among their affiliates in countries of origin and destination, with a view to accommodating the temporal cycles of labor migration and reducing cultural barriers to organizing, as evidenced in BWI's work with GEFONT. PSI's plans to encourage cross-border organizing between Filipino, Indonesian, and Japanese unions and UNI's experiment with UNIMIG are other examples of attempts to foster relationships between affiliates in countries of origin and destination. While the vast majority of these ambitious projects have foundered because of the lack of sustained engagement on the part of affiliates, they nevertheless constituted an important experiment in a region where there are tremendous obstacles to cross-border organizing.

A key aspect of collaboration and networking that has been implemented more systematically in Asia than elsewhere is reaching out to NGOs. For several years this was a central strategy of the GUFs' Asia Pacific regional offices. The practice was exemplified by the series of initiatives involving MFA, which aimed to form both an advocacy partnership at the regional level and to encourage local affiliates to work together to improve outcomes for temporary labor migrants. While the impact of these initiatives was at best marginal, the regional advocacy partnership gained significant momentum from 2005, culminating in the organization of a civil society event held in Manila in the lead-up to the second Global Forum on Migration and Development in 2008 (field observations, October 2008).

This event consisted of a day-long discussion forum to explore collaboration between NGOs and unions, followed by a public rally in which some 3,000 unionists participated (MFA 2009, 128). Representatives from EI, ICEM, the ITGLWF, the IMF, the ITF, and the IUF all took part in the discussion and rally, along with UNI, PSI, and BWI (Global Unions 2008). The GUFs played a prominent role in these activities, which were preceded by a day of meetings between individual GUFs and their affiliates on the subject of labor migration and engagement across sectoral boundaries (field observations, October 2008). The union presence was further strengthened when the ITUC's general secretary, Sharan Burrow, led the official civil society delegation in the forum's formal proceedings.[24] The GUFs also issued a joint statement to the forum highlighting the increasing centrality of labor migration in the global economy and the risk of exploitation faced by migrant workers and calling for equal treatment and freedom of association in countries of origin and destination, as well as opportunities for fuller participation by unions and civil society organizations in the forum itself (MFA 2009, Annex E).

In many ways, the GUFs' involvement in the 2008 Global Forum on Migration and Development constituted a watershed, not just in terms of their engagement with NGOs but also as evidence of a deeper shared focus on migration. UNI's regional secretary initially saw his GUF's participation as a way of challenging unilateral decision making on the part of governments (interview, June 2008). Reflecting on the importance of the forum a year later, he observed that it had been significant not only in its own right but also because of the broader patterns of collaboration it had fostered (interview, August 2009). PSI's regional secretary viewed the event as a way of promoting exchange with migrant labor NGOs, while also recognizing its impact as a focal point for collaboration between the GUFs (interview, June 2008). PSI's global migration program coordinator concurred, observing that the forum was "a catalyst for unions and NGOs to work together, as well as being a catapult for bringing the GUFs together" (interview, April 2009). For his part, BWI's regional representative was less interested in possibilities for engagement with governments than in the forum's potential as a platform for attracting participation by a broader range of GUFs (interview, June 2008)—something that it did indeed achieve. However, his hopes for further collaboration on temporary labor migration in Asia proved overly optimistic. Subsequent joint initiatives involved only BWI, PSI, and UNI.

As ILO officials observed at the 2008 Global Forum on Migration and Development, the GUFs' collaboration on temporary labor migration in Asia was nevertheless at the "cutting edge," having not only the potential to force governments to change but also serving as an illustration of "the important role to be played by international organizations such as the GUFs" (field observations, October 2008). Yet the GUFs' attempt to work closely with MFA and its NGO members was by no means without its challenges. As noted in the introduction, unions and NGOs have different constituencies, different cultures, and very different ways of working, even when pursuing the same goals. On the one hand, both sides recognize the inherent differences between their organizational forms and mandates and the potential benefits of collaboration. On the other hand, each side carries a great deal of baggage, as was clearly stated by NGO activists at several joint forums.[25] As the coordinator of the task force—an NGO activist—observed at a regional meeting sponsored by FES, "Migrant worker groups don't work with unions for historical reasons. In the past, unions were suspicious. They saw migrant workers as a threat" (statement, August 2005). Speaking at the civil society days in Manila, the president of HOME, Bridget Lew, observed that the converse was also true: "NGOs trust each other straight away and can collaborate. Unions' agendas are not so open. It's more difficult to trust them" (statement at the People's Global Action on Migration, Development and Human Rights, October 2008).

GUF representatives publicly acknowledged that unions were slow to act (statement by the BWI migration project officer at the People's Global Action on Migration, Development and Human Rights, October 2008). They also sought to allay NGOs' fears by emphasizing that unions were not seeking to take over from NGOs, but rather wished to develop partnerships with them (statement by UNI-APRO secretariat member at the People's Global Action on Migration, Development and Human Rights, 2008). Privately, however, they acknowledged the difficulties inherent in collaboration. UNI's regional secretary pointed to NGOs' complete reliance on external funding, observing that "the biggest problem with MFA, as with most NGOs, is that they need to get funding, which distracts them. They start with a clear vision of what they want, but the grant cycle makes them compromise" (interview, July 2014). For PSI's migration program coordinator, emerging cracks in the collaboration were indicative of MFA's need to protect its turf: "MFA originally saw unions as the competition but what they didn't understand was the strength of the unions . . . they have recognized it now, and feel insecure about the union giant waking up" (interview, April 2009). Reflecting on the collaboration several years later, BWI's then-migration project officer was more positive, observing that the regional collaboration had some benefits, though she also acknowledged that it had not translated to the national level as fully as she had hoped (BWI gender, migration, and campaigns director, interview, September 2015).

Prospects of Success

The impetus for the GUFs' migration initiatives in Asia may have come primarily from elsewhere, but their attempts to encourage Asian unions to engage with the issue of temporary labor migration were accompanied by important innovations in their approach to working in the region. As documented in this chapter, their migration-related programs involved new forms of advocacy, servicing, and organizing, as well as new kinds of collaboration, both with each other and with NGOs, through their engagement with MFA.

The response to this call to action by local unions has varied considerably across the region—a fact that is not surprising, given the structural contingencies and contextual specificities explored here. Back-donor agendas are important, because an inability to fund a focused program in a wealthy destination country diminishes the GUFs' ability to convince affiliates to take temporary labor migration seriously, especially in contexts where local unions are reluctant to engage with foreign workers. Even where funding is available, the sectoral location

of affiliates and the desire and capacity of those affiliates to implement a migration program present a substantial obstacle to the realization of GUF programs.

In light of these obstacles, the mere existence of concrete programs involving local unions in itself constitutes a form of success. Ultimately, however, success must also be measured by the actual shifts in local unions' attitudes and practices, as well as the impact these shifts have on other elements of the prevailing labor migration and employment relations regimes. As we see in the following chapter, outcomes at these levels have been more mixed.

5

MEASURES OF SUCCESS

Asia has been a key focus of the international labor movement's efforts to deal with temporary labor migration. All the large GUFs and several SSOs have supported migration-related initiatives in the region, some of which have targeted countries that are not normally eligible for SSO support. As part of their programs, a number of the GUFs have also engaged in regional advocacy and networking collaborations intended to build on the respective strengths of migrant labor NGOs and unions and to advance the advocacy, servicing, and organizing initiatives of local unions.

The success of these initiatives must be measured not only in terms of intention and effort but also in terms of outcomes. To what extent, then, have these programs succeeded in influencing local unions' attitudes and behavior in relation to temporary labor migrants? Have they brought about change in the willingness of unions to engage with migrant labor NGOs? What contribution has this change made to their countries' employment relations and labor migration regimes?

Unions in Asia's destination countries have responded in different ways to the international labor movement's attempts to encourage, cajole, and support them in their sometimes tentative recognition of temporary labor migrants as workers. No real change is observable in Japan and Taiwan, where the SSOs and the GUFs have made little attempt to influence union behavior in relation to temporary labor migration beyond exerting normative pressure on affiliates and national centers. Changes in union behavior have been important but largely symbolic in South Korea and Singapore, which have been the focus of modest and targeted GUF initiatives. However, real changes in both union rhetoric and union behav-

ior are evident in Hong Kong, Malaysia, and Thailand, where the SSOs and the GUFs have had substantial and relatively long-term programs of engagement on the issue of temporary labor migration.

Minimal Engagement, Minimal Impact

Japan and Taiwan are the Asian destination countries in which the GUFs and the SSOs have been least engaged on the issue of temporary labor migration. They are also the two countries where mainstream unions have shown the least interest in moving beyond a traditional—and deeply exclusionary—approach to temporary labor migration. The lack of GUF and SSO involvement does not mean that there is no activism on behalf of temporary labor migrants in these countries. Yet it does explain why pro-migrant worker activism at best remains at the very fringes of the organized labor movement.

In Taiwan, migrant worker associations are now able to register as migrant-only unions, but the country's one migrant-only union has no links with mainstream unions: instead, it remains closely linked to the NGO community from which it developed. In Japan, the movement for migrant worker rights remains firmly in the hands of NGOs and community unions that sit on the periphery of the organized labor movement. These groups work hard to provide support to temporary labor migrants and advocate for policy change. But without support from the mainstream unions, migrant labor NGOs' prospects of achieving substantive change in the regulation of foreign workers' migration status and access to their labor rights are slim.

Japan

Japan's industrial relations system is predicated on a firm-based, pluralist model that emphasizes the importance of partnership between enterprises and their unions. Most enterprise unions are affiliated with an industrial federation that is in turn associated with a confederation, the largest of which is Rengō. Rengō's position on temporary labor migration is one of classic protectionism: it has campaigned against increases in inflows of migrant labor while arguing that labor laws should apply to all migrant workers, regardless of their legal status, so as not to disadvantage local workers (Rengō official, interview, December 2010). Rengō opposed the entry of unskilled migrant workers to Japan during the lead-up to the 1989 revision of the Immigration Act, arguing that their admittance would undermine its members' demands for higher wages (Ward 2001). When recommendations were solicited for reform of the trainee program in the 2000s, Rengō

proposed that trainee employment be capped at 5 percent of the regular workforce, a level that would effectively prevent smaller enterprises from employing foreign trainees (Kremers 2014, 724–725). It has also continued to campaign against the widespread acceptance not only of low- and semi-skilled migrants but also of skilled migrants arriving through agreements such as the Japan–Indonesia Economic Partnership Agreement and its Philippines and Vietnamese equivalents (Rengō official, interview, December 2010).[1]

Despite this hard-line stance, Rengō has made some overtures to temporary labor migrants. Since the early years of the twenty-first century, its Osaka branch has offered direct support to foreign workers in the form of an annual multilingual telephone consultation session. Using student volunteer translators, these sessions provide advice to irregular migrant workers on their labor rights under the Japanese legal code (Rengō official, interview, December 2010). In addition, some migrant workers have become members of Rengō affiliates, subsequently receiving support during collective bargaining initiatives. However, many of its affiliates—including some in migrant-dense sectors—continue to be hostile to temporary labor migrants. As explained in chapter 4, the Japan Health Care Workers Union refused to recruit Philippine nationals admitted under the Japan–Philippines Economic Partnership Agreement, despite encouragement from PSI. Similarly, the National Federation of Construction Workers Unions (NFCWU) and the Confederation of Shipbuilding and Engineering Workers Unions have continued to campaign vigorously against temporary labor migration. For example, the NFCWU mounted a campaign against a plan to expand the foreign trainee program in order to guarantee sufficient workers for the 2020 Tokyo Olympic Games, arguing that the plan failed to address the underlying causes of the labor shortage (Sekiguchi 2014). Defending this position, its deputy secretary general said, "It is essential to attract construction workers . . . through higher wages and a better social security program rather than using more foreign workers" (quoted in *Japan Press Weekly,* December 12, 2014).

Japan's second-largest confederation, the Communist Party-affiliated Zenrōren, which represents industrial federations of unions in small enterprises, has been more open to temporary labor migrants. Like Rengō, it is opposed to labor migration in principle, as shown in a statement of its general secretary, in which he described the expansion of the trainee system as an "adverse revision" (Inoue 2015). Yet as early as 1996, Zenrōren had established a Liaison Council on Migrant Issues, with the aim of helping migrant workers obtain better working conditions and greater access to rights, and advocating the ratification of relevant conventions (Zenrōren 2014). Zenrōren has also supported the efforts of affili-

ates to assist migrant workers. For example, it helped four Chinese trainees in Kumamoto prefecture to sue their employers and the association in charge of their traineeship (Zenrōren 2010).

Despite these examples of support for migrant workers, it has nevertheless been the small community-based unions that have engaged most proactively with temporary labor migrants in Japan. One of the first to respond directly to their presence was the Zentōitsu Workers Union, which created a Foreign Worker Branch in 1992.[2] By 2010, members of the Foreign Worker Branch accounted for more than one-third of the union's total membership (Zentōitsu Workers Union secretary general, interview, December 2010). The Foreign Worker Branch coordinates its actions with other foreigner-friendly unions, including the Kanagawa City Union, which began accepting foreign members in the early 1990s (Shin 2001; Urano and Stewart 2007), and the National General Workers Union, which established a foreign workers' section, known as the Foreign Laborers' Union, in 2001 (Inaba et al. 2001). Others in this category include the Koto Fureai Union, the Santama Joint Labor Union, and the Hachioji Union (Shipper 2004, 18). As noted in chapter 2, many of these unions have links to NGOs. Indeed, the secretary general of the Zentōitsu Workers Union also leads SMJ, the country's most prominent network of migrant worker support organizations. In other cases, unions targeting migrant workers were in fact established by migrant labor NGOs. For example, in 2007 the Asian People's Friendship Society founded a union in its own name, the APFSU. For some time before establishing the union, the society had held consultations with foreigners on work-related issues, but as a nonunion body, it was prevented from engaging in collective bargaining (APFSU chairperson, interview, December 2010).

Taiwan

The Taiwanese industrial relations system has long been characterized by authoritarian state corporatism. The only confederation permitted was the CFL, which the Kuomintang government used to control labor and mobilize votes (Gray 2015). Before 2000, only two types of unions were allowed: "industrial unions" (*changye gonghui*) for workplaces with more than thirty employees and "occupational unions" (*zhiye gonghui*) for smaller workplaces and the self-employed (Ho 2006). Both types of unions were at the bottom of the organizational structure of the CFL, under a series of provincial and national federations.

With its state backing, the CFL succeeded in recruiting large numbers of members; however, it was controlled by the government, and thus militancy was initially low (Minns and Tierney 2003). But as in other state corporatist systems in

the region, tensions became increasingly apparent as pressure grew for democratic reform. The union movement became quite militant after martial law ended in 1987, conducting a series of major strikes and protests. Their actions prompted an anti-union backlash by the government in 1989 that led to a decline in union size and influence (Chiu 2011).[3] Although the labor movement's industrial strength remained under threat, its political fortunes improved when the Democratic Progressive Party, which had links to elements within the labor movement, gained power in the 2000 elections (Chen, Ko, and Lawler 2003). Around that time, sixteen union organizations, many of them local federations of industrial unions, formed the TCTU. Official recognition in May 2000 ended Taiwan's one-union policy (Chiu 2011), leading over time to the registration of ten national labor centers (Ho 2015). However, the legacies of the authoritarian period and the 1989 crackdown have left the union movement with little influence.

In much the same way as their Japanese counterparts, Taiwanese unions have made limited moves to support temporary labor migrants while maintaining a broadly anti-immigration position. The official position of the CFL is that the organized labor movement should focus on providing a better working environment and reasonable salary and welfare measures for Taiwanese nationals, not on issues associated with foreign labor (CFL official, interview, March 2016). It nevertheless has promoted the establishment of migrant worker service centers in different districts, with bilingual staff able to provide advice on legal issues, policies, labor rights, and labor disputes (CFL 2014). It has also engaged in some pro-worker advocacy—for example, through public statements in support of protesting migrant workers from Thailand, noting their right to legal protection and the terrible conditions under which they work, and congratulating them on their courageous actions in speaking out against oppression (CFL 2005).

The TCTU, meanwhile, has consistently lobbied the government to lower the number of migrant workers, basing its case on Article 42 of the Employment Service Act, which states that Taiwanese citizens' right to work may not be jeopardized by the employment of foreign workers (TCTU 2012b). At the same time, it has invoked "international norms" pertaining to the dignity of foreign workers in its opposition to moves by the government to decouple the basic wages of local and foreign workers (TCTU 2012a). But since unions affiliated with the TCTU are located mostly in state-owned enterprises or at the county or city level, they have little contact with or interest in foreign workers. As a consequence, when the Solidarity Center encouraged TCTU members to recruit migrant workers, the response was both limited and short-lived (former TCTU policy division director, interview, March 2016).[4]

As in Japan, separate organizing has emerged as a strategy in the movement for migrant worker rights, because migrant labor NGOs, not mainstream unions,

are the movement's primary actors. As noted in chapter 1, it has only been possible to register migrant-only unions since 2011, following significant amendments to the Labor Union Act in 2010. Taiwan's first union for foreign workers, the Yilan County Fishermen Trade Union [*sic*] (YCFTU), is an occupational union established in 2013 by members of the Ilonggo Seafarers Organization (YCFTU general secretary, interview, January 2014). Its founders tried to establish a union when the legislative changes first came into force; however, that attempt failed when many of its members were unable to complete the necessary paperwork because their passports were being held illegally by brokers. When the union was successfully established two years later, eighty-nine Filipino fishermen became members. Since that time, YCFTU has provided access to insurance and engaged in much the same kind of service provision as migrant labor NGOs—seeking to resolve conflicts with employers, particularly in cases that involve exploitative behavior by brokers, and challenging unreasonable accommodation fees and irregular working hours without extra payment. The group also assists workers who abandon their boats by providing them shelter and help in finding new employment, as well as engaging in charitable activities such as providing winter clothes. Importantly, it has maintained its orientation toward the NGO sector and is now working closely with the Haohao Women's Foundation (YCFTU general secretary, interview, January 2014). The mixed approach adopted by Taiwan's first migrant-only union is perhaps not surprising, given its historical linkages with the Hope Workers' Center, where its general secretary was formerly employed as a project manager.

Other migrant labor NGOs have also considered migrant-only organizing: when interviewed in 2014, spokespersons for both the Haohao Women's Foundation and TIWA stated that they were considering supporting the establishment of additional migrant-only unions (interviews, January 2014). Yet while migrant-only unionism theoretically allows migrants to participate in the formal industrial relations system, in the absence of any affiliation with the mainstream union movement their participation will necessarily remain limited.

Failure to Engage

The cases of Taiwan and Japan illustrate the extent to which the stance taken by mainstream unions determines the position of temporary labor migrants in a country's employment relations regime. In both countries, unions have relatively high membership density in key sectors where migrant workers are employed, but have chosen neither to engage in any significant organizing of the migrant workforce nor to provide an institutional home for migrant-only unions. In both cases also, migrant-only unions have been established as occupational unions

through their incorporation into established community unions or through the formation of unions whose main purpose is to support migrant workers.

The pattern of separate organizing in Japan and Taiwan is not due to limits on the freedom of association imposed by the state. The fact that NGOs and other pro-migrant worker groups have been able to promote the benefits of union membership to their constituents reflects the relatively open nature of these countries' employment relations regimes. Yet while separate organizing has opened up opportunities for migrant workers, the benefits have been limited, since NGO-sponsored associations, and even registered unions, have little capacity to effect change in industrial relations systems that privilege large mainstream unions. Japan's community unions are relatively influential, despite their small size (Royle and Urano 2012), but they are nevertheless located at the periphery of the country's industrial relations system. In the Taiwanese case, migrant-only unions are even more marginalized, not only because of their status as occupational unions but also because of their alignment with NGOs rather than mainstream unions. That they can register at all is significant, but their marginal position limits their capacity to exert influence industrially or politically on behalf of their migrant worker members.

Targeted Engagement, Mixed Results

Like Taiwan and Japan, South Korea and Singapore are wealthy countries where the GUFs have little direct engagement and the SSOs even less. In both cases, however, normative pressure from the international labor movement has resulted in important symbolic gains in relation to temporary labor migration. In the case of South Korea, BWI was able to invest some of its resources, which enabled it to engage with the Korean Federation of Construction Industry Unions (KFCITU) and the KCTU. Yet while BWI's Asian migration project was more successful in South Korea than in Taiwan, its impact has been concentrated in the discursive domain, with attempts to encourage its affiliates to organize migrant workers into mainstream unions largely failing. Singapore, meanwhile, stands out as an anomaly in the Asian context. It is the destination country with the highest proportion of union membership among temporary labor migrants, but that status is a result of government policy, rather than of independent action on the part of local unions or interventions by the international labor movement. At the same time, complementarity between the policies of the NTUC and those of the GUFs has meant that migration has proven to be a relatively fruitful focus for collaboration, as evidenced by the former's support for the GUF–MFA project and other initiatives of this kind.

South Korea

As in Taiwan, South Korea's industrial relations system and the role of organized labor within it bear the legacies of a transition from authoritarianism to democracy. The country's labor movement has continued to struggle to operationalize workers' rights to freedom of association since regime change in the late 1980s (Chun 2009). As in other East Asian destination countries, the basic building blocks of the union movement are enterprise unions, which are the primary vehicle for collective bargaining. At the national level, there are two major union bodies. The older body is the Federation of Korean Trade Unions (FKTU), established in 1960 and the only recognized national union federation during the authoritarian period. The KCTU emerged as an oppositional force in the early 1990s and achieved formal recognition in 1997 after the largest general strike in the country's history (Kim and Kim 2003).

South Korea's national union bodies have undergone a greater shift in their position on the migrant labor question than their counterparts in Japan or Taiwan. In the early 1990s, the South Korean labor movement was uniformly opposed to attempts to legalize the employment of foreigners, as unionists feared that an influx of foreign labor would bring about a deterioration in working conditions and the displacement of local workers (Abella, Park, and Böhning 1994; Lee 1994). By the middle of the first decade of the twenty-first century, however, both the FKTU and the KCTU claimed to support migrant workers. For its part, the FKTU has established a network called the "Non-Regular Workers Alliance," delivered education and legal services to migrant workers, and made policy recommendations to the South Korean government (Chang 2009). Since 2007, its migrant-related activities have included surveys of the industrial health and safety of migrants and the provision of industrial safety and health education and protective gear. The other key aspect of its support for migrant workers is charity based, involving the occasional donation of money and holiday gifts by its subsidiary, the Good Friends Welfare Foundation (FKTU occupational safety and health bureau director, interview, December 2011).

It is the more progressive, internationally connected KCTU that is more closely identified with temporary migrant labor in South Korea. For several years the KCTU has been extensively involved in advocacy campaigns on behalf of foreign workers; through some of those campaigns the KCTU has participated in broader civil society initiatives, such as the Alliance for Migrants' Equality and Human Rights, a coalition formed after a fire broke out in Yeosu Foreigners' Detention Centre in 2007 that killed nine detainees. This alliance brought together unions, public interest lawyers, NGOs, community groups, political parties, and research institutions. Its original focus was on this particular incident, but it has continued

as a semi-permanent network (KMHRC activist, interview, December 2011). The alliance has campaigned for better protection of the rights of migrant workers and an end to the violent arrests of undocumented workers and helped the MTU achieve legal recognition as a union in 2015.

The KCTU has used a number of advocacy, servicing, and networking strategies to support migrant rights. It provides labor rights counseling and other services for migrant workers through its department of unorganized and precarious workers, and it supports organizing initiatives, predominantly through the MTU, but also directly through its affiliates. It has also been involved in a series of regional networks that bring together local representatives, representatives of its affiliate unions, and member organizations of the Network for Migrant Rights (field observations, December 2011). Through these collaboration, it has formed a task force together with NGOs, the KFCITU, and the Korean Construction Workers Union (KCWU) that has campaigned for the release of the ten Vietnamese construction workers arrested following a strike in Incheon in 2011 (KFCITU official, interview, December 2011). Another part of its advocacy work has involved labor diplomacy on behalf of migrant workers; for example, it criticized the Employment Permit Scheme at the 103rd session of the International Labour Conference in 2014 (Shin 2014). It has been an active presence at other international gatherings of unionists on migrant labor, where its representatives have stood with representatives of the MTU to deliver strong, inclusionary messages and demonstrate to other unionists how migrant workers can be integrated into mainstream unions (field observations, June and October 2008).

As noted in chapter 2, the MTU grew out of NGO-based migrant worker organizing. It has been associated with the KCTU since its formation in December 2004 and was formally incorporated into the confederation in 2006 (MTU leaders, interview, December 2011). Yet despite this association with the mainstream union movement, the MTU has experienced many of the same difficulties as less formal migrant worker associations—in its case, primarily because many of its members and office holders have been undocumented migrants. Even though it engaged in grassroots organizing and offered support in resolving workplace issues, the MTU was for a long time unable to participate in collective bargaining, since it was not recognized by the South Korean government (presentation by MTU representative at IMA's launch in Hong Kong, June 2008). Although a 2007 High Court ruling affirmed the MTU's legal status, the Ministry of Labor appealed the decision (MTU 2012), leaving the union in limbo.

According to the Supreme Court's final ruling in 2015, the refusal of the Ministry of Labor to register a migrant-only union was unconstitutional, since anyone who receives payment for work is considered a laborer under South Korean

labor law, regardless of migration status (Ock 2015). In the meantime, however, the MTU had suffered a series of blows, including the arrest and deportation of three successive presidents who had illegal sojourner status, as well as the departure of another president, who returned to the Philippines after his work permit was canceled. Nevertheless, the union continued to engage in advocacy work to protect and improve migrant workers' rights, collaborating with other organizations including the Alliance for Migrants' Equality and Human Rights, the Network for Migrant Rights, and the JCMK. It also employed a grassroots organizing strategy, using street campaigns and home visits to maximize opportunities to educate and empower migrant workers. Yet while its affiliation with the KCTU resulted in the shift of the locus of migrant worker organizing from NGOs to the labor movement, migrant worker organizing remained largely separate from the activities of its mainstream affiliates (MTU president, interview, December 2011).[5]

The KCTU has also encouraged its mainstream affiliates to recruit foreign workers, but these efforts have encountered substantial difficulties.[6] For example, the Korean Plant Construction Workers Union—whose membership makes up 35 to 40 percent of the KCTU's construction affiliate—remains strongly opposed to engaging with migrant workers. Ongoing hostility toward foreigners, including ethnic Koreans from China, many of whom work in the construction industry, meant that there was "heated internal discussion" when the federation decided to target migrants (statement by KFCITU director of policy and planning at the BWI/FNV Forum on Migration, October 2008). Continuing resistance is reflected in the little progress made by the union in recruiting temporary labor migrants since that time.

These characteristics of the Korean labor movement have had implications for the Korean component of BWI's Asian migration project, which began in 2007. As part of this program, BWI provided funding to the KCWU to employ a staff member to organize migrant workers in the construction sector. An organizing campaign was subsequently developed and adopted by local branches, resulting in the recruitment of some migrant workers (statement by KFCITU director of policy and planning at the BWI/FNV Forum on Migration, October 2008). However, the project met significant grassroots resistance from the KCWU membership, which is in large part made up of day laborers who are quite aware of the very real threat posed to their employment by all foreign workers, but especially by those employed illegally (KFCITU director of policy and planning, interview, December 2011). The union nevertheless resolved to integrate migrant worker organizing into its regular organizing work a year later, at which time BWI ceased to provide purpose-specific funding through the migration project (BWI migration, gender, and campaign director, interview, November 2016).

The other main sector that has been a focus for the KCTU and its affiliates has been manufacturing, where the majority of temporary labor migrants admitted through the Employment Permit System are employed. However, despite the size and strength of the Korean Metalworkers Union (KMWU), it has had even less success in organizing temporary labor migrants than the construction unions. In contrast to the construction industry, where migrants work side by side with union members, migrants employed in manufacturing are concentrated in small and medium-sized enterprises, where rates of unionization are low (KMWU director for unorganized and precarious workers, interview, December 2011). One of a small number of exceptions is the enterprise union at Samwoo Precision, a small company located in the Sungseo Industrial Complex (presentation by KCTU representative at the ITUC-AP/ILO Regional Strategic Planning Workshop for Migrant Labor, September 2009). When the Samwoo Precision Union (SPU) was formed, migrant workers comprised one-third of a total workforce of fifty-two people. Activists seeking to establish the union felt that it was necessary to involve migrant workers if the new union was to have any chance of negotiating effectively with the employer. But after local workers were convinced of the need to include migrant workers, it took seven months to persuade migrant workers to sign up, even though the company had agreed to the establishment of the union. The original recruits have since returned home following the expiration of their contracts, but the collective bargaining agreement now in place guarantees the recruitment of at least eighteen migrant workers to the total workforce and their reemployment after their initial three-year contract (SPU officials, interview, December 2011).

The organizing efforts at Samwoo Precision were supported by the Sungseo Trade Union (STU), which had for several years provided labor rights education to migrant workers and which for a time employed a very active Indonesian organizer who spoke fluent Korean (SPU officials, interview, December 2011). The STU was the driving force behind the Sungseo Task Force, which brings together unionists and civil society activists around broader organizing issues within the industrial complex. A similar task force was later established in Noksan, another industrial complex near Busan; it has been involved in a migrant-focused organizing project since mid-2010 (KMWU director for unorganized and precarious workers, interview, December 2011). Although the Noksan task force had not initially intended to engage with migrant workers, those laborers subsequently emerged as a significant focus of its work. This was in part because of the involvement of a civil society organization called Solidarity with Migrants, which helped the task force complete a second survey of workers in the Noksan industrial complex (SOMI activist, interview, December 2011). Solidarity with Migrants is also part of the Buson-Gyeongbuk Task Force on Mi-

grant Rights, which involves several NGOs and faith-based groups, as well as the KCTU.

These collaborations were productive, but not without tensions around the appropriate division of labor between the NGOs involved and the union. When asked about the role of unions in the Noksan and Busan-Gyeongbuk task forces, one informant observed, "The KCTU should be leading the movement but other organizations are more active, so it's only reasonable that it participates in the task force. The KCTU should do more, but it hasn't been able to do so because rates of unionization among Korean workers are low, and the KCTU is busy maintaining its existing unions" (interview, December 2011).

In an attempt to better support local efforts, the KCTU planned a concerted organizing campaign involving its metals and construction affiliates in 2012. Migrant labor was subsequently included as one of the confederation's five strategic priorities for the period from 2014–2018. However, plans for increased engagement with migrant workers were not translated into action until 2015 when the confederation established a task force involving the MTU, the KMWU, the KFCITU, and the Korean Chemical and Textile Workers Federation (KCTWF). At the time, the KCTWF had not yet recruited any migrant workers, while the other two mainstream unions each had a small number of migrant worker members. The KCTU also increased its work with the MTU, providing training for members and producing booklets in several of the most common languages spoken by migrant workers for use by its affiliates (KCTU official, interview, January 2016).

There has been a striking difference in the level of support that these local unions have received from their respective GUFs. As noted earlier, the KFCITU received not only encouragement but also financial support from BWI. As KFCITU's director of policy and planning observed, "BWI is very interested in migrant workers, and demands that we take migrant worker organizing more seriously" (interview, December 2011). By contrast, the KMWU has had little substantive engagement with IndustriALL on the migrant labor issue. According to the KMWU's director for unorganized and precarious workers, "Migrant workers are talked about a lot at international gatherings, like the IMF conference in 2009. But there haven't really been any specific projects" (interview, December 2011).

In South Korea, then, different levels of GUF engagement are clearly evident, with BWI by far being the most active and the IUF a more recent entrant by virtue of its experiment with Cambodian agricultural workers.[7] BWI has found ways to work around the constraints normally imposed by income levels on donor support for its migration activities; however, the key determinant of the impact of its migrant labor initiatives remains the constraints imposed by the internal configuration of the Korean labor movement and sectoral dynamics in the

construction industry. Thus, while the GUFs contributed to a significant change in union rhetoric on migrant labor, even BWI's capacity to drive change in union practice was limited by the nature of the South Korean union movement and the capacity of its South Korean affiliates to implement that change.

As this suggests, GUF encouragement is not always sufficient to ensure successful engagement with migrant workers in the longer term. Reflecting on KFCITU's inability to better support migrant workers, the confederation's director of policy and planning added, "It is difficult in the field because opposition from the workers is still severe. BWI and other international actors don't really understand the feelings from inside . . . . People criticize us for not being more active in organizing migrant workers, but that's because they don't understand what's going on inside—that it's not because we don't want to do it" (interview, December 2011). In some cases, it is indeed true that the GUFs do not understand the internal pressures on local unions. Yet even when they do understand the challenges, the GUFs do not always have the resources to help their affiliates overcome problems within their own organizations, let alone the obstacles presented by migration policy or the limits of industrial relations system coverage in industries like construction. This was the situation faced by the GUFs in South Korea.

Singapore

The industrial relations system in Singapore is based on a form of state corporatism (cf. Schmitter 1974; Stepan 1978), albeit a more inclusionary form than that found in pre-democratic Taiwan and South Korea, New Order Indonesia, or, indeed, contemporary China.[8] The NTUC is nevertheless firmly under the government's control. Successive general secretaries have been drawn from the ranks of the ruling People's Action Party (PAP) (Barr 2000), and there have been instances where officials who have strayed from the party line have been sacked (Sing 2004). Thus, while the NTUC has at times sought to play an active role in issues such as bargaining over retrenchment terms, training and development, and assistance for retrenched workers in the wake of the Asian financial crisis, these efforts have "not fundamentally altered the dominant role of the PAP over the NTUC" (Sing 2004, 457).

Its close relationship with government explains the atypical stance taken by the NTUC on temporary labor migration. In contrast to all other national centers examined here, the NTUC has long adopted an emphatically inclusive stance on documented migrant workers. According to its own literature, the Singaporean union movement "has always recognized and accepted the need for migrant workers to supplement/complement our limited human resources" and "appreciates their contribution to Singapore's development and growth" (NTUC 2005, 1).

As noted in chapter 1, however, this position reflects not an independent union stance but rather the government's open door policy to temporary labor migrants and its desire to minimize potential unrest among a group of workers on whose labor the country's economy depends.

The Singapore case offers an important counter to assumptions that progressive unions are necessarily the ones most engaged in migrant labor organizing. Migrant workers are not permitted to form their own unions in the city-state, but its wealthy, service-oriented unions recruit proportionally more temporary migrant workers than any other large union in Asia. As of 2005, migrant workers represented around 18 percent of overall union membership and as much as 70 percent in some enterprise unions (NTUC 2005)—a figure that held steady in the following decade (NTUC representative, interview, October 2015). To assist migrant workers to become members, NTUC initially subsidizes their membership dues (NTUC 2005, 1), but after an initial period migrant members are required to pay dues at the same level as local members (NTUC representative, interview, March 2010). In return, they "enjoy the same union protections, services and union benefits as local members" (NTUC 2005, 1).

The sectoral unions with the greatest density of migrant members include the Singapore Organization of Seamen (SOS), the Shipbuilding and Marine Engineering Employees' Union (SMEEU), and the Building, Construction and Timber Industries Employees' Union (BATU). SOS amended its constitution to allow foreigners to become members in 1989 (SOS 2014), and by 2014, foreign workers accounted for some 80 percent of its membership (NTUC representative, interview, October 2015). As of 2010, migrant workers comprised about 35 percent of the rank-and-file membership of SMEEU, which has successfully negotiated coverage for foreign workers in collective bargaining agreements in some companies and has actively pursued migrant workers' grievances with management in others (SMEEU official, interview, March 2010).[9] While the proportion of foreign members has since dropped to around 20 percent as a result of reductions in the number of migrant workers employed in the industry (NTUC representative, interview, December 2015), the union continues to draw the attention of government and employers to the high levels of worksite accidents involving foreign workers and urges companies to improve safety standards to prevent accidents (NTUC 2012; Subbaraman 2014). BATU—which represents workers involved in construction, cleaning, waste management, and facilities management—has also made an effort to reach out to migrant workers, mostly helping them secure unpaid wages, but also organizing meetings for migrant worker members and arranging recreational activities for them (BATU 2013). As of 2005, migrant workers constituted around 20 percent of its membership (Piper 2006), and by 2014, this figure had grown to 29 percent (NTUC representative, interview, December 2015).

In addition to encouraging its affiliates to recruit migrant workers, the NTUC has taken an active approach to direct servicing since 2003, when it established the Migrant Workers' Forum to implement programs "aimed at protecting the interests and wellbeing of migrant workers in Singapore" (NTUC 2005, 1). Most significant among its servicing initiatives has been the Migrant Workers Centre (MWC), which offers support and services to migrant workers from all sectors except domestic work. Established in 2008 with seed funding from the Singapore government and in collaboration with the National Employers' Federation, the MWC provides emergency shelter in its forty-eight-bed dormitory; it also provides outreach programs and cultural awareness seminars (including English-language courses) to assist foreign workers to integrate better into Singaporean society and a twenty-four-hour hotline for migrant workers in distress (MWC manager, interview, July 2014). Its advisory body deals with salary cases and instances of exploitation by brokers. In addition, the MWC works directly with the industrial unions; for example, it collaborated with SOS in 2013 to establish the Seafarers' Welfare Centre, where migrant fisherman can report abuses and access welfare services (MWC 2013).

As with the inclusive membership policies of the NTUC, the establishment of the MWC reflects a state-centered agenda rather than a migrant-centered one. As Bal (2015, 230) notes, it is effectively a government-organized NGO established to provide the same services as HOME and TWC2 "without the pressure of independent advocacy." Center staff members openly acknowledge their "very close relationship" with the Ministry of Manpower, which advertises the center's hotline on its work permit protector covers (MWC manager, interview, July 2014). Most matters are resolved in consultation with the ministry, although some are taken to the Labor Court for resolution. In addition to attempting to neutralize HOME and TWC2, the NTUC also collaborates with them; for example, regularly inviting them to migrant worker events (NTUC representative, interview, March 2010). The NTUC has also worked with these NGOs on a number of occasions, officiating at the launch of TWC2's migrant worker helpline, assisting HOME with fundraising for its shelters, and collaborating with HOME and the Ministry of Manpower to provide counseling and hardship grants to migrant workers affected by the 2004 Indian Ocean tsunami (NTUC 2005).

Migrant labor NGO activists would of course prefer to be able to engage in advocacy, offer services, and support migrant-only organizing without having to work with the NTUC. However, as noted in chapter 2, there are limits to the government's willingness to countenance opposition that oversteps the tacit limits it imposes on civil society. In the absence of more robust channels for engagement, collaboration with the NTUC offers a way for NGO activists to gain access to decision makers and thereby influence the government's policy directions. A par-

ticularly important example of the potential benefits of this approach is Singapore's contribution to the successful global campaign to secure a Domestic Workers Convention. As the president of TWC2 recounted, "The NTUC has official status, so it is easier for it to go to the Ministry of Manpower. In 2009, TWC2 and HOME organized consultations with around 25 workers to discuss the proposed convention on domestic workers. We then held consultations with the NTUC, where they agreed to take up the campaign and pass on the conclusions from discussions with migrant workers to the government" (interview, March 2010).

The willingness of the NTUC to work with independent migrant labor NGOs on issues such as the Domestic Workers Convention is in part an attempt to manage the oppositional momentum of these organizations. At the same time, however, it is also motivated by the NTUC's desire for acceptance by the international labor movement. Temporary labor migration is a very attractive focus because the international labor movement's attempts to encourage local unions to open their doors to labor migrants are in line with the NTUC's own policy. It is for this reason that the NTUC became extensively involved in programs run by the ILO, MFA, and the GUFs to enhance collaboration between unions in countries of origin and destination and between unions and migrant labor NGOs. It participated in regional meetings not only in Singapore but also in other countries, including Indonesia and the Philippines, where it showcased its policies and programs for migrant workers (field observations, 2005–2009).

Despite these efforts, it has proven increasingly difficult for the Singaporean government, and by extension the state-sponsored unions, to completely contain migrant workers. This was evidenced in the series of protests, sit-ins, and strikes involving Chinese bus drivers in 2012, as well as a major conflict in Little India in 2013, when hundreds of South Asian migrant workers rioted after a thirty-three-year-old construction worker was run over by a bus.[10] The Chinese bus drivers' strike of 2012 was particularly significant because it was the first strike in Singapore since 1986. It also showed how local NGOs flouted expectations that they would resist engaging in "union-like activities" in response to these incidents: they not only helped workers in need but also became directly involved in organizing work (Bal 2015). While these disruptive activities were met with the imposition of strict government control, they nevertheless exposed the flaws in the "domestication through servicing" model favored by the NTUC.

Imperfect Exemplars

The cases of South Korea and Singapore illustrate the level of nuance required in assessing local unions' level of engagement with temporary labor migration and,

specifically, the impact of GUF migration-related initiatives. In contexts where unions have been strongly opposed to foreign workers, a deceptively simple shift in rhetoric may have a substantial impact—changing the tone of national media coverage on migrant labor issues or pushing governments to pursue more migrant-friendly policies. This has certainly been the case in South Korea, where the KCTU has been particularly vocal in its advocacy of migrant worker rights. Attempts to organize migrant workers, however, have been more limited and, on the whole, not particularly successful. The MTU has played a very important symbolic role, but it has struggled to develop momentum in the face of constant harassment from the government and limited practical support from the national center. Mainstream unions have themselves struggled with the challenge of recruiting and servicing migrant members, despite encouragement from the KCTU and, in the case of the construction industry, also from BWI.

The fact that Singapore's NTUC has adopted a positive position on temporary migrant labor is more predictable that was the case for the KCTU, given the NTUC's close relationship with a government that relies heavily on temporary labor migrants as an economic resource. At the same time, the range of strategies available to the NTUC is limited by tight government control both of migrant workers and the labor movement itself. Its efforts to recruit and service migrant workers are nevertheless noteworthy, both for the contribution they make to the government's efforts to maintain good relations between local and foreign workers and for the concrete benefits, in terms of services, that they bring to foreign workers. Yet as the Chinese bus drivers' strike of 2012 and the Little India riot of 2013 demonstrate, the service model quickly reaches its natural limits in cases of systemic wage discrimination or where cumulative oppression sparks a violent response.

In short, both Singapore and South Korea are imperfect exemplars of the penetration of the international labor movement's norms on temporary labor migration into local labor movements. In both cases, the adoption of international norms has been limited by restrictions on resources and by the characteristics of the local context. Singapore performs relatively well, both in terms of its migrant labor and its employment relations regimes, because of its highly formalized but relatively flexible migration schemes, its high levels of NGO engagement in issues surrounding migrant labor, the fact that the industrial relations system covers a significant proportion of temporary labor migrants, and the acceptance and servicing of temporary labor migrants by mainstream unions. However, government controls on all kinds of political activity mean that there is little chance for unions (or migrant labor NGOs) to push for coverage of foreign domestic workers under the labor law, let alone their unionization—or for migrant workers in other sectors to themselves press for change. South Korea, too, performs reason-

ably well in terms of both its labor migration and employment relations regimes, although migrant labor flows are less formalized and labor contracts are more rigid than in Singapore. The integration of labor unions into the industrial relations system is also weaker, as are temporary labor migrants' ability to join a mainstream union and the level of mainstream union engagement with migrant labor. Foreign workers do, however, have more space to act in South Korea's more open political climate, both individually and through migrant-only unions such as the MTU, which is small but has the protection of the KCTU. Together with their migrant labor NGO allies, these unions have indeed challenged elements of the prevailing employment relations and labor migration regimes, including the conditions of the Employment Permit Scheme and the right of irregular migrant workers to unionize.

Substantive Programs, Substantial Progress

GUF and SSO engagement on migration has been much more substantial in Hong Kong, Malaysia, and Thailand than in the destination countries discussed thus far. As noted in chapter 1, all three of these countries have sizable inward labor migration flows, which make them natural targets for the GUFs' migration projects. Paradoxically, however, these are also the countries in which local unions have been the least likely to engage with temporary labor migrants in any substantive way. Hong Kong has a relatively open migration system and a national center that has long been receptive to migrant labor. It accords civil society organizations a relatively high degree of political space and allows freedom of association for foreign workers. Nevertheless, mainstream unions have little industrial power and are thus poorly positioned to recruit migrant workers or defend their workplace rights. In Malaysia and Thailand, the ability of mainstream unions to recruit migrant workers is further limited by relatively large irregular migration flows and tight controls placed on regular labor migrants. These controls include limits on freedom of association not only for informal sector workers but also for those employed in the formal sector. Yet despite these constraints, substantial progress has been made in all three countries.

Hong Kong

Hong Kong's freewheeling market economy is dominated by its service sector and small-scale workplaces. Freedom of association is guaranteed. However, as noted in chapter 1, there are no requirements for employers to engage with unions nor

are there enforceable collective bargaining mechanisms: therefore, unions have little power over conditions in the workplace. As a consequence, the union movement is focused on building the political and policy influence of its territory-wide organizations.

The largest Hong Kong union is the pro-Beijing Hong Kong Federation of Trade Unions (HKFTU), established in 1948. Like Singapore's NTUC, the HKFTU is both closely aligned with the administration and strongly oriented toward the provision of services, including education and training, medical services, and discounts on retail products (HKFTU 2016). Despite its close relationship with government, which supports the hiring of foreign workers, it has consistently rejected the use of imported labor on the grounds that foreign workers threaten local jobs. For example, it mounted a successful campaign in the early to mid-1990s against a plan to allow the limited importation of skilled workers from Mainland China (Chiu 1999). Its resistance to foreign workers was strengthened by a series of regional and global events affecting the Hong Kong economy—the 1998 Asian financial crisis, the SARS epidemic in 2003, and the global financial crisis of 2008—and it continues to lobby against labor migration in industries such as construction, despite low demand for jobs in this sector from local workers (see, for example, Yu 2015).

The Hong Kong Trade Union Council (HKTUC), established in 1948, was for a long time the second largest group of unions in the territory. Its membership and political influence both declined severely beginning in the 1980s (Benson and Zhu 2008; Snape and Chan 1997), and its position has since been usurped by the HKCTU—itself a product of GUF engagement, having evolved from a joint organizing project of the IUF and the Hong Kong Christian Industrial Committee that was funded by a Swedish SSO (Gallin 2000). While the HKCTU's central leadership never took an anti-migrant stance, it was not until five years after its establishment that it began to focus seriously on convincing local union leaders that it was possible to organize temporary labor migrants (HKCTU chief executive, interview, December 2010). Reflecting on this evolution, chief executive Elizabeth Tang observed that attempts to adopt this position initially provoked "a lot of internal debate." Ultimately, the internal campaign was successful, and the central leadership team subsequently experienced "very little difficulty pursuing this line" (Tang 2010).

Efforts by the HKCTU to encourage its affiliates to embrace temporary labor migrants intensified further from the middle of the first decade of the twenty-first century, when it received support from the Solidarity Center and BWI for migrant worker organizing projects (BWI Asian migration project officer, interview, October 2008; Solidarity Center Asia director, interview, August 2015). This growing focus on temporary labor migration was formally recognized in a resolution

passed at the confederation's 2007 annual general meeting, which identified migrant worker organizing as a priority (Hong Kong report to the ITUC-AP/ILO Regional Strategic Planning Workshop for Migrant Labor, September 2009). But while local union leaders may no longer be so resistant to migrant labor organizing, they still need to convince grassroots members to accept foreign workers. In fact, according to Tang, "they are constantly working at this; it never stops" (interview, December 2010). Partly because of this harsh reality, foreign domestic workers—the largest group of temporary labor migrants in the territory—were the focus of the HKCTU's engagement until about 2005 (HKCTU research officer, interview, November 2005). However, the confederation "deliberately avoided direct organizing," instead "working with the migrant labor NGOs that were already involved," according to Tang (interview, December 2010).

The NGOs to which Tang refers include the AMC, which in 1989 supported the establishment of ADWU and was subsequently involved in forming several nationally based foreign domestic worker unions.[11] In its early years, ADWU received support from the IUF, which had experience organizing domestic workers in South Africa in the 1980s. At its peak, ADWU had some 1,700 members, drawn mostly from Thailand and the Philippines, but also from India, Indonesia, Malaysia, Nepal, Pakistan, and Sri Lanka (Martens 1994). It engaged in protest-based advocacy on migrant-specific issues, as well as on broader labor struggles, and ran shelters for migrant workers, dealing with dozens of cases per year (Swider 2006). This promising start was undermined when tensions developed between the Filipino and Thai camps over the dominance of Filipino interests within the organization, leading to the walkout of more than half the organization's executive at its 1993 annual general meeting (Swider 2006). Exacerbated by problems with accountability and caseload management, this conflict eventually led to ADWU's effective dissolution just three years later (IDWF regional coordinator, interview, February 2016).

The first nationally based foreign domestic worker union to be formed after ADWU dissolved was FMWU, which was founded in 1998. The second was IMWU, which registered as a union in 1999.[12] Others followed: the Union of Nepalese Domestic Workers in Hong Kong (UNDW), a second Filipino union called the Overseas Domestic Workers Union (ODWU), and the Thai Migrant Workers Union (TMWU) were registered in 2005, 2008, and 2009, respectively. Although the officially recorded membership of the five foreign domestic workers' unions in 2014 was just 653 (Hong Kong Registry of Trade Unions 2015), they have nevertheless had significant impact. Alongside nonunion foreign domestic worker groups and a number of other registered domestic worker unions, they have attracted attention through their street-protest-based advocacy for better wages and conditions for foreign domestic workers. Migrant workers

have also come to account for a significant proportion of participants in the annual May Day demonstrations, which are an important demonstration of the HKCTU's organizational strength (Dharmawan 2015; Dikang 2012; Hsia 2009).

In addition to providing these migrant-only unions with an institutional home, the HKCTU has engaged in a long-term campaign to improve wages in the sector, participating in migrant worker protests since the late 1990s (HKCTU chief executive, interview, December 2010). In the middle of the first decade of the twenty-first century, it also lent its weight to a project funded by LO–Norway involving a national labor center in the Philippines called the Alliance for Progressive Labor. As part of this project, union organizers from the Philippines, initially embedded in the AMC, were deployed to foster Filipino migrant organizing (Almazan 2010). The project focused on strengthening the Filipino Domestic Helpers General Union by recruiting existing Filipino organizations, including FMWU and ODWU. Several years later, it sponsored a new organization called the Progressive Labor Union of Domestic Workers in Hong Kong, which is simultaneously affiliated with the HKCTU and the Filipino national center, Sentro ng mga Nagkakaisa at Progresibong Manggagawa. By 2015, this new organization claimed to have more than 1,200 members, most of whom paid dues (LO-Norway regional consultant, interview, December 2015).[13]

The HKCTU's five migrant domestic worker affiliates were subsequently brought together in FADWU, established in 2010 with support from AMC and the ILO (Almazan 2010).[14] According to the organizer who aided in the formation of the federation, it was in many ways a "rebirth" of ADWU (IDWF regional coordinator, interview, February 2016).[15] The federation plays a key role as a representative of Asian domestic workers' interests on the executive committee of the IDWF, which is affiliated to the IUF. The success of its efforts to keep the issue of migrant workers on the agenda is reflected in the fact that migrant workers feature prominently in the organization's 2016–2020 strategic plan, which includes the organization of 200,000 migrant members among its five goals (IDWF 2015b).

The IDWF is itself one of the most concrete examples of the GUFs' contribution to the struggle for migrant worker rights. Reflecting on the role of the IUF in the formation of the IDWF, its regional coordinator observed that the federation's engagement had been vital, both during the campaign for the Domestic Workers Convention and in the period since: "We could take part in the negotiations in 2010 and 2011 because we were registered by the IUF. I attended the ILC with an IUF badge, along with many other domestic workers. The IUF has also been trying to convince other trade union centers that domestic workers are workers, and domestic worker organizations are unions, even if they can't register as such. By being part of the IUF, we can start to build links to other trade

union centers, to the ILO and to other international union bodies" (interview, February 2016). While the beneficiaries of this strategy have been domestic workers in general, the existence of the IDWF has greatly improved the ability of migrant labor NGOs and migrant worker groups globally to lobby for recognition of foreign domestic workers as workers. In the case of Hong Kong, this had already been achieved, but the passing of the Domestic Workers Convention has nevertheless strengthened the movement by creating a channel through which foreign domestic workers have recourse at the international level.

As in South Korea, attempts to draw foreign workers into the structures of the HKCTU's affiliates have been far less successful. Most of these efforts have been made in the construction industry, which used to employ a significant number of temporary labor migrants, but is now dominated by local workers and permanent residents. Interest in migrant construction workers emerged in the context of BWI's Asian migrant worker program, which in Hong Kong was focused on a group of permanent labor migrants from Nepal. In the first instance, the BWI project targeted the Construction Site General Workers Union (CSGWU), which identified systemic discrepancies in pay between local and immigrant workers as a potential campaign focus. It then conducted a survey of construction sector projects in Hong Kong to identify potential targets for organizing which it used to map out an organizing strategy. Reflecting on BWI's role in promoting migrant worker organizing, an official from the CSGWU observed, "BWI's support has been quite important to get the general union and local workers interested in the migrant issue. If there had been no project like this, there would have been some attempt to organize, but it wouldn't have had the same level of effect" (interview, December 2010). Ultimately, however, the organizing campaign foundered on the denial of the right of Hong Kong unions to bargain collectively and the absence of an organizing culture in the occupational unions that comprise the CSGWU.

Although BWI continued to engage in organizing within these unions—resulting, for example, in the recruitment of some Nepalese workers to the Hong Kong Construction Industry Bar-Bending Workers' Union—the focus of its migrant worker organizing efforts shifted to the formation of a migrant-only union. In August 2007, the NCWU was established with the support of the local union and a trainer from GEFONT (statement by NCWU president at the BWI/FNV Forum on Migration, October 2008). Its first major action addressed the fact that many Nepalese have no formal qualifications and thus are underpaid for the skilled work they do. The union negotiated with the government to jointly provide training to its members, sparking a sharp rise in membership. Indeed, by 2010, it had the largest dues-paying membership of any Hong Kong construction union (NCWU official, interview, December 2010).[16] The fragility of

this migrant-only structure was subsequently exposed when its members began to take advantage of a construction boom and their work hours increased. This led to a loss of momentum on the part of NCWU, as indeed has been the experience at different times with Hong Kong's other migrant worker unions. It is no coincidence that this slump in activity occurred after completion of the BWI project, which had provided some financial support for the union's activities.[17] Efforts were then made to reinvigorate NCWU with assistance from the HKCTU (former HKCTU organizer, organizer, February 2016). It is important, however, to note that neither the CSGWU nor the NCWU supports temporary labor migration, which both organizations see as a threat to Hong Kong residents' jobs (interviews, December 2010). In this sense, their approach to migrants had more in common with the decision of unions in the United States to open their doors to immigrant workers than with efforts to organize temporary labor migrants in Europe and elsewhere in Asia.

In short, Hong Kong's success in organizing temporary labor migrants has relied strongly on two factors: the ability of outsiders to organize migrant-only unions in the territory's relatively open political environment and the willingness of the HKCTU—in part because of its own deep connections with the international labor movement and in part because of the personal interest of its chief executive in labor migration—to provide an institutional home for those migrant-only unions. It is these separate but complementary factors that have made it possible for temporary labor migrants to challenge the less favorable elements of Hong Kong's employment relations and labor migration regimes.

Malaysia

Malaysia's industrial relations system is broadly modeled on the colonial system instituted under British rule. It consists of national occupational unions, supplemented with Japanese-style enterprise-based unions, based on a policy introduced in 1982. While the system differs fundamentally from the authoritarian corporatist models once in place in Taiwan and South Korea and the semi-authoritarian corporatist system of contemporary Singapore, it offers little scope for the exercise of union power. Unions participate in a range of tripartite structures and have the right to engage in workplace bargaining. However, with limits placed on their political influence and little focus on workplace organizing, they have little leverage with government or employers and end up spending most of their time pursuing unfair dismissal cases in the labor courts (Crinis and Parasuraman 2016).

Malaysia's union movement is politically conservative, and it has a history of campaigning for the expulsion of migrant workers, whom it initially saw as a threat to local jobs (Crinis 2005). It was still wedded to this position in the late

1990s when the Solidarity Center made its first approach to the MTUC, the national center representing private sector unions.[18] The MTUC then began paying more attention to temporary labor migration, but it is only since 2005 that it began to engage actively with migrant workers, after passing a resolution to work to protect their rights and dignity at an ILO-sponsored conference on labor migration (MTUC 2005). A more sympathetic leadership team was elected in that same year, but the shift in policy on temporary labor migrants continued to be driven primarily by pressure from the ILO and the international labor movement (MTUC general secretary, interview, August 2009). This pro-migrant position was reinforced when the general secretary of the TEUPM—the BWI-affiliated timberworkers' union—Khalid Atan, was elected president of the MTUC in 2010 and again in 2013, a position he held until his death in early 2016.

In its early years of engagement, the MTUC focused on foreign domestic workers—in large part because the ILO funded a full-time program officer to develop programs for that constituency. It first conducted a survey of the wages and conditions of migrant domestic workers and presented the findings to the Minister of Human Resources as part of a campaign for amendment of the Employment Act to include foreign domestic workers (MTUC domestic worker program officer, interview, August 2009). Although domestic workers continue to be excluded from most of the protections in the Employment Act, the campaign had some influence on the government's position in bilateral negotiations with countries of origin. For example, a Memorandum of Understanding negotiated with Indonesia in 2011 included a commitment—at least on paper—to improved conditions for migrant domestic workers, including one day off per week, the ability to open a personal bank account, and the right to retain their passports (Parimala 2012).[19]

As part of this initiative, the MTUC also began to move beyond its historical suspicion of NGOs to make tentative overtures to Tenaganita, which was working actively at this time to support victims of sexual harassment and other abuse. After a period of rapprochement, the MTUC began referring cases of sexual abuse to Tenaganita under a reciprocal agreement by which it provided legal representation for Tenaganita's clients dealing with the nonpayment of wages or similar issues, assisting them in bringing complaints to the industrial tribunal (MTUC general secretary, interview, August 2009). In 2008, attempts were made to develop an association to represent foreign domestic workers. This initiative failed, however, when the application for registration was rejected out of hand by the Registrar of Societies (MTUC domestic worker program officer, interview, June 2008).

The MTUC used funding from the Solidarity Center during the same period to enable a second staff member to conduct rights awareness training for migrant

workers in other sectors, as well as handling some casework and some organizing work (Solidarity Center senior specialist on labor migration and human trafficking, interview, January 2016). Legal support was provided to these temporary labor migrants through its industrial relations department. For example, it waged a lawsuit against a plastic products company that had refused to provide migrant workers with the same wages and conditions as local workers. The MTUC argued that migrant workers had a legal right to the same wages and benefits, and the court found for the migrant workers. The decision was upheld on appeal by both the High Court and Court of Appeal, setting a precedent that unions could use to put pressure on other companies (MTUC general secretary, interview August 2009).

The MTUC has also sought to collaborate with unions in countries of origin, including Indonesia, Nepal, and Vietnam. One agreement was signed in 2011 by GEFONT, the Nepal Trade Union Congress–Independent, and ASPEK Indonesia, as well as BWI, UNI, and PSI. Part of the agreement involved co-sponsorship of a number of BWI's and UNI's earlier initiatives, including UNI's Malaysian Liaison Council help desk initiative. This initiative had been implemented for a number of years in more than twenty locations across the country by members of UNI's forty Malaysian affiliates, providing legal support for temporary labor migrants (UNI regional secretary, interview, July 2014). In its first two years of operation, the help desk's legal team secured RM 840,000 (USD 233,333) in wage claims for 436 migrant workers from Indonesia, Nepal, and Myanmar (UNI-MLC 2008). In its more recent incarnation as a joint initiative of BWI, PSI, and UNI, the helpline continues to be used by workers who have been injured at work but have not received compensation, who have had their passports confiscated, or who have had wages withheld. Importantly, it is also now used for organizing, primarily among Nepalese workers (BWI 2015a, 2012). The MTUC has also encouraged its affiliates to recruit temporary labor migrants, although it has done little in practice to support organizing efforts. In short, migrant labor organizing has been most effective where a GUF has also become engaged.

The Malaysian case adds weight to the evidence from Singapore, confirming that it is not necessarily militant labor movements that make the greatest efforts to recruit migrant workers. The most successful example of a GUF organizing initiative in the Malaysian context involved the TEUPM, which began organizing foreign workers in 2006 with support from BWI (TEUPM president, interview, August 2009). Explaining his union's motivation for focusing so strongly on migrant labor, Khalid Atan said that "the decision was a matter of both principle and strategy—we became involved with migrant workers because we felt we had no choice given the number of migrant workers in the industry" (statement at

the BWI/FNV Forum on Migration, October 2008). As noted in the previous chapter, a key element of this initiative was BWI funding for the employment of a unionist from Nepal to recruit Nepalese workers (TEUPM education officer, interview, August 2009). By 2008, the union had recruited one thousand migrant worker members, who paid the same dues as Malaysian members. Five years later, the number of migrant worker members exceeded 1,500 (BWI 2013). The TEUPM also entered into agreements with unions in Nepal and Indonesia and helped establish BWI-affiliated timber unions in Sabah and Sarawak, of which migrant workers make up between 20 and 40 percent of their membership (TEUPM education officer, interview, August 2009).

Two other industrial unions that have taken a proactive stance on temporary labor migration are the Electrical Industry Workers Union (EIWU) and the Electronics Industry Employees Union (EIEU). The EIWU had for some years attempted to recruit migrant workers as members through an IMF-funded project designed to invigorate the union, rather than a migrant-specific project (EIWU official, interview, May 2010). In some workplaces, the union was forced to try to recruit foreign members in order to meet the 50 percent membership threshold it required for the union to be accorded a legal presence in a workplace. In several cases, it managed to recruit foreign workers, only to immediately lose them as a consequence of the actions of management, such as victimizing migrant members or not renewing their contracts (EIWU official, interview, May 2010).[20] A new wave of migration-related activity followed a decision to permit regional unions in Malaysia's electronics industry in 2009. For decades, the industry had been subject to special restrictions that at first banned unionization outright and then limited it to enterprise unions, but by 2010 four regional unions had succeeded in registering under the banner of the EIEU. Alongside the EIWU and the EIEU, these unions subsequently became involved in the IndustriALL organizing initiative described in the previous chapter. Like earlier IndustriALL projects, this organizing initiative was not aimed specifically at migrant workers. However, the northern region succeeded in negotiating a collective bargaining agreement that included migrant workers and organized more than 900 workers at an electronics multinational corporation (IndustriALL 2015).

A third example, in which a GUF played a more peripheral role in an organizing initiative, is that of the Union of Employees of Port Ancillary Service Suppliers (UNEPASS) based in Port Klang, where close to one-fifth of the 20,000-strong workforce are temporary labor migrants. In 2009 the struggling union, which had traditionally represented clerical workers, had fewer than 200 members. In an effort to stave off collapse, UNEPASS decided to amend its constitution to include laborers (who are mostly foreigners) and reduce monthly dues from RM 10 to

RM 4, so as to recruit migrant workers (UNEPASS general secretary, interview, August 2009). The union received encouragement from the MTUC and inspiration from networking meetings between sending and receiving country unions organized by the ITF and the ITUC. Most important, however, was the appointment of a part-time recruiter who was mentored by the BWI-funded timber worker organizer from Nepal. Within months, union membership had more than doubled to 490 as a direct result of the recruitment of foreign workers, who made up 50 percent of the new members (UNEPASS general secretary, interview, August 2009).[21]

Even though the recruitment of migrant workers into mainstream unions has been relatively successful in Malaysia, the weakness of those mainstream unions means that migrant-only organizing has also proven to be attractive. For several years the MTUC remained opposed to establishing separate associations for migrant workers, with the exception of foreign domestic workers, who are not covered by the Employment Act (MTUC official, interview, August 2009). This position was challenged by the formation in 2005 of the Nepali Workers Support Group, initially as part of BWI's organizing initiative in the timber industry, but later as a collaborative effort involving the MTUC and GEFONT. Now known as the NMWA, the organization has worked closely with these national centers on issues such as underpayment (Crinis and Parasuraman 2016). Although it was unable to register as a union, by 2012 the association had organized 1,286 workers and had established committees in several locations across the country (BWI 2012). Two years later, it claimed to have as many as 4,000 members (Crinis and Parasuraman 2016), a significant number in the Malaysian context.

Thailand

Poorly resourced and deeply divided, Thailand's labor movement is the weakest of the region's destination-country labor movements. Although there are thirteen registered national labor centers, unions are concentrated around Bangkok and in the central and the eastern regions, with more than half of Thailand's seventeen provinces lacking any union presence (Ayudhya 2010). Private sector unions in particular are marginalized industrially and politically. State enterprise unions, which have traditionally been stronger, have been weakened by privatization. Unionists have also been drawn into Thailand's troubled political arena, with increasing tensions between the Red and Yellow Shirt movements dividing the labor movement (Brown and Ayudhya 2012). In this context, it is perhaps not surprising that unionists are more concerned with the survival of their organizations than with supporting labor migrants. In addition, like much of Thai

society, the majority of unionists continue to see foreign workers—especially those from Myanmar, who comprise the majority—as outsiders who compete for Thai jobs or indeed for positions within Thai unions (labor activists, interviews, February 2007).

While unions in Thailand are poorly placed to support temporary labor migrants, their position on foreign workers has significantly evolved since 2005, when unionists from Thailand, Cambodia, and Laos participated in a workshop run by the ILO on the Protection of Migrant Workers in Phuket. At the end of this workshop, the Labor Congress of Thailand, the National Congress of Thai Labor, the Thai Trade Union Congress, and SERC signed what has come to be known as the Phuket Declaration, which recognizes that "migrant workers have a right to join existing unions and that unions should be committed to organizing and recruiting migrant workers" (LCT et al. 2005). In signing this declaration, they undertook to promote the ratification of relevant international conventions and pursue cooperation with unions in countries of origin; organize and recruit migrant workers; raise awareness of migrant workers' status as workers "who need union protection;" educate unionists "so that they are able to accept migrant workers as union members;" and integrate migrant workers and their perspectives into their "work and structure" (LCT et al. 2005).

Although the declaration marked an important shift in the public position of the Thai signatories, there has been little substantive follow-through in the years following its adoption (ILO Bangkok official, interview, February 2007). There are documented cases of Thai unionists at the workplace level speaking out against the exploitation of migrant coworkers, but the recruitment of migrant workers as union members remains virtually unheard of (MMN coordinator, interview, October 2015). Instead, many of the concrete changes that occurred in the decade after the Phuket Declaration have involved TLSC, the umbrella network that brings together unions and labor NGOs in Thailand.

Advocacy has been a strong focus for TLSC. On International Migrant Workers' Day in 2006, it released a statement calling on the government to recognize migrant workers' status as workers, to improve migration policies and practice, and to ensure that migrants receive fair wages and enjoy reasonable working conditions (TLSC 2006). It has also tried to leverage international human rights mechanisms to raise awareness of rights violations. In 2009, it petitioned the United Nations Special Rapporteur on the Human Rights of Migrants for an urgent inquiry into a proposed nationality verification process for migrant workers from Myanmar. In response, the Special Rapporteur publicly urged the Thai government to reconsider its actions, expressing concern that the scheme failed to protect the human rights of migrants, because it could lead to forced deportations

(OHCHR 2010).[22] In the same year, SERC lodged a complaint with the ILO's Committee of Experts on the Application of Conventions and Recommendations concerning the Thai government's refusal to give migrant workers access to the Workmen's Compensation Fund. This prompted a request from the committee to the Thai government for a review of the policy (ILO 2010b). The confederation made a subsequent submission in 2011, reporting that migrant workers were still unable to access the Workmen's Compensation Fund due to the complexity of the national verification process. Following a further request from the ILO committee, the government passed a resolution in 2012 to allow documented migrant workers access to social security. In the face of continued difficulties with access, the committee later made a third complaint, noting that problems with the national verification process were still unresolved, leaving between one and two million migrant workers from Myanmar still undocumented and therefore not covered by employment injury insurance. In 2013, the ILO committee again put pressure on the Thai government, requesting that it provide a report on the number of migrant workers who had completed the verification process (ILO 2014).

A number of attempts have also been made to organize and service workers, the most prominent of which has involved MWRN, the migrant labor association in Samut Sakhon province. Linking Myanmar workers employed in the Thai seafood industry to NGOs, human rights organizations, and SERC (MWRN 2015), the network was established in 2009 with support from the Solidarity Center and the Human Rights and Development Foundation (Conradt 2013). In its initial phase, MWRN developed a community learning center to provide migrant workers with computer and language skills and to inform workers of their rights (BWI 2014). It also collaborated with SERC on a "Humanitarian Transportation Project," which created a new bus route to enable migrant workers to travel safely between their hometowns in Myanmar and their places of employment in Thailand ("Burmese Migrant Workers Rights Network" 2013). From 2013, it worked with a local temple to provide education for the children of migrant workers, with financial support provided by the migrant community and local industry (MWRN 2015).

In addition to collaborating with SERC and TLSC, the network has also worked together with the GUFs, the ITUC, and local and international NGOs in advocacy initiatives targeting the governments of Thailand and Myanmar and consumers in the United Kingdom and elsewhere (HRDF et al. 2011, 2013; MWRN 2015). To support these advocacy initiatives, it has contributed to research projects on working conditions within supply chains (MWRN 2015). In 2015, MWRN broadened its collaboration further to involve Finnwatch, an NGO focused on global corporate responsibility, in a three-year project that aims to set

up a legal help desk, establish a new office in Southern Thailand, and encourage migrant workers to negotiate for better working conditions (Finnwatch 2015).

While its advocacy and servicing activities are similar to those carried out by NGOs, MWRN is in fact a membership-based organization. By mid-2013, it had 1,400 members from a variety of sectors, each of whom paid dues of one baht per day (Mills 2014). Eighteen months later, it claimed to have more than 3,700 individual migrant worker members, all living and working in Thailand. Its organizational structures have been set up "to imitate a trade union," and from November 2014, the network registered as the SERC Foundation, whose president is the former general secretary of SERC (MWRN 2015). Examples of its union-like activities include supporting workers at one of the largest shrimp factories in Samut Sakhorn in negotiating a settlement with their employer over forced leave (Mills 2014). In short, although the network cannot register as a union under Thai labor law, it has engaged in the preliminary work required to establish a migrant-only union, should there be changes to the legal framework to enable the registration of such unions.

Qualified Achievements

While local unions' engagement with temporary labor migrants in each of these cases—Hong Kong, Malaysia, and Thailand—has been limited to a small number of sectors and initiatives, these actions are nevertheless significant when taking into account the starting point in each context. Moreover, in all three countries, support from the international labor movement has been a key influence on the depth of union engagement and the strategies developed to further its objectives. At the same time, the outcomes have been very different, shedding light on the impact not only of a particular country's labor migration regime on migrant worker organizing but also of migrant worker organizing on the labor migration regime itself.

Interventions by the international labor movement have been most successful in Hong Kong, in part because its labor migration regime is relatively liberal. Hong Kong has a high proportion of regular labor migrants and relatively flexible labor migration schemes. Its employment relations regime is skewed by the fact that foreign domestic workers, who constitute a large proportion of the territory's foreign workers, are covered by the labor law and therefore by the industrial relations system. In addition, there are high levels of NGO engagement, and a great deal of political space available to both NGOs and temporary labor migrants. The resultant trajectory of migrant-only organizing has meant that migrant-only unions, while they remain small, have been able to work with migrant labor

NGOs and mainstream unions to improve wages and other conditions of employment, especially for foreign domestic workers.

The GUFs' interventions have been least successful in absolute terms in Thailand, in large part because of the particular constellation of obstacles posed by the country's labor migration and employment relations regimes. Despite relatively liberal conditions for regular labor migrants, the fact that most foreign workers enter Thailand illegally exacerbates the limited reach of the industrial relations system, not only in migrant-dense sectors but also in the economy as a whole. Coupled with weak mainstream unions and low levels of freedom of association for foreign workers, these obstacles mean that even the smallest advances are hard-won. It is also significant that the particular characteristics of the Thai context have encouraged substantive collaboration between migrant labor NGOs and mainstream unions in the course of these efforts.

Malaysia shares many of Thailand's characteristics, including large inflows of irregular migrants, poor industrial relations coverage of migrant-dense sectors, and weak mainstream unions. In addition, its labor migration schemes are among the most punitive in the region. With international support, however, its mainstream unions have grasped the opportunities offered by the large inflow of regular migrants, a considerable number of whom are channeled into formal sector employment, and have begun organizing temporary labor migrants. Although the impact of these efforts on aspects of the labor migration regime have so far been minimal, the fact that union activities have involved not only advocacy and servicing but also organizing and a relatively high degree of networking and collaboration is quite remarkable given the conditions in which unions operate.

Notably, all three of these cases demonstrate the potential advantages for mainstream unions of engaging with temporary labor migrants in situations where they are poorly integrated into the industrial relations system or where militancy is low. As the Malaysian experience suggests, a union's decision to organize migrant workers can improve its broader organizing practices by forcing it to become more member-focused. The Hong Kong case demonstrates that temporary labor migrants employed in informal sector occupations can be unionized and that doing so through separate but affiliated structures can strengthen the political voice of the labor movement, even if mainstream unions remain weak. Indeed, Hong Kong's foreign domestic worker unions, while relatively small, are by far the most successful examples of migrant-only unionism anywhere in Asia. They have made strategic use of their capacity to leverage their connections with mainstream unions and migrant labor NGOs to exert pressure on the Hong Kong government to make the legislative and policy frameworks more migrant-friendly.

Assessing the GUFs' Contribution

As this chapter has demonstrated, the international labor movement's capacity to use financial and other resources to influence the attitudes and behavior of local unions with regard to temporary labor migration is highly uneven. The GUFs have little sway in Japan, in part because of the relative wealth of their Japanese affiliates, but also because there is little that the GUFs can bring to the table in the way of financial resources. In Taiwan, local unions have even less engagement with any of the GUFs or the SSOs. Singapore's NTUC should have equally low levels of engagement, but instead it has worked quite closely with the GUFs on labor migration. Importantly, that engagement is driven both by the Singaporean government's pro-migrant stance and the national center's desire to be accepted internationally, rather than by any material incentive offered by the GUFs or indeed by the SSOs. South Korea and Hong Kong are also wealthy and do not attract the kind of financial support from SSOs that countries of origin or even middle-income destination countries like Thailand and Malaysia do. In both cases, however, progressive national centers have particularly strong histories of international engagement that make them open to international agendas. Finally, the influence of the GUFs and the SSOs is relatively strong in Malaysia. There are also programs in place in Thailand, although implementation has often been stymied by political uncertainty and the absence of viable partners.

The cases presented here reveal that changes in local unions' attitudes and behavior toward temporary labor migrants have been greatest in the countries where GUF engagement is most concentrated. In the first instance, evidence for this shift can be found in changes in the official position of mainstream unions—be they GUF affiliates or national centers—from an outright rejection of temporary labor migration to a recognition that temporary labor migrants are indeed workers and, therefore, potentially part of their constituency. It has not been easy to convince local unionists that temporary labor migration matters. Reflecting on the early years of BWI's Asian Migration project, its education officer observed that not only had it taken several years to convince affiliates to take on the migrant issue but that doing so remained difficult "because the classic response is that there are more urgent issues affecting local workers" (statement at BWI/FNV Forum on Migration, October 2008). In some cases, it has been difficult even to convince unionists that particular groups of temporary labor migrants are indeed workers. As the IUF's gender and equalities officer has publicly stated, some unionists have found it difficult to accept that domestic workers are workers with the same labor rights as themselves (IDWF 2014b). Yet, despite these challenges, the stated position of key mainstream unions in most of Asia's destination countries has

shifted over time—most significantly in the countries where the GUFs have been most engaged.

The impact of these changes in attitude on union practice is, of course, a different question. Where GUF affiliates' leaders are willing to embrace temporary labor migrants in the face of member opposition, their ability to service or organize migrant workers, or even advocate on their behalf, depends not only on their internal capacity but also on the constraints imposed by their country's labor migration and employment relations regimes. As a consequence, local unions cannot always deliver benefits to foreign workers, let alone press for systemic change. In a significant number of cases, however, changes in union practice have delivered concrete results.

Local unions have worked alone and in concert with migrant labor NGOs on advocacy initiatives aimed at reducing the complexity of formal labor migration schemes and regularizing migrant workers, as in Thailand, or increasing foreign workers' ability to access their right to freedom of association, as in South Korea. In Singapore, union-driven servicing has provided foreign workers with direct material benefits in the form of insurance or training; in Hong Kong it has resulted in compensation for underpayment of wages and, in Malaysia, in the provision of emergency aid. These activities have in some cases supplemented the servicing work undertaken by NGOs in the same domain, but in other cases, mainstream unions have provided services, such as coverage in collective bargaining or workplace-based advocacy, that they are structurally placed to provide in ways that NGOs are not. Organizing initiatives, meanwhile, have extended union coverage to temporary labor migrants in already unionized sectors, such as Malaysia's timber products industry, or to migrant-dense sectors with little or no union presence historically, as in the case of foreign domestic workers in Hong Kong.

CONCLUSION

Temporary labor migration is one of the defining features of our age. Labor unions across the world are reassessing their responses to migrant workers, as transnational flows of labor become increasingly central to the functioning of the global economy. In Europe, these efforts have been driven by sectoral unions at the national level in response to the European Union's move to an integrated labor market. By contrast, in Asia, NGOs and faith-based groups remain the primary champions of migrant labor rights in all countries of origin and destination. These local actors have sought to encourage mainstream unions to join the struggle for the rights of temporary labor migrants, but ultimately the SSOs and the GUFs have been the primary catalysts for change in their attitudes and behaviors. Indeed, in all Asian destination countries except Singapore, the defining factor in whether mainstream unions have developed a pro-migrant strategy is the level of influence—financial and otherwise—of the international labor movement. Even efforts to encourage NGO–union collaboration have been funded primarily by the SSOs.

In the destination countries where the international labor movement has had the least influence, NGOs and faith-based groups have moved beyond servicing and advocacy work to organizing in an attempt to influence employment relations regimes. Having failed to convince mainstream unions to take steps to support temporary labor migrants, they have sought to develop alternative means of accessing industrial relations processes and mechanisms, establishing purpose-specific migrant-only unions where permitted, and union-like migrant worker associations where they were not. These organizing initiatives are important, but

are in themselves not enough. Migrant-only associations and unions may complement the servicing activities of the NGOs that support them and help temporary labor migrants access their rights under existing labor migration schemes. But without support from mainstream unions, they are unlikely to be able to exert sufficient pressure to achieve lasting change in the working lives of temporary labor migrants.

Migrant labor NGOs also continue to dominate the movement for migrant labor rights in the destination countries where the international labor movement has most traction. But there GUF and SSO interventions, not NGO initiatives, have persuaded key mainstream unions to forgo their anti-migrant rhetoric and engage in concrete action in support of temporary labor migrants. A core strategy in promoting this shift has been to convince local unions to rethink their positioning of foreign workers. Instead of thinking of them as *migrants* who threaten the local labor force, the GUFs and the SSOs have convinced these unions to think of temporary labor migrants as *workers*, and thus part of their constituency.

Having been persuaded to make this change, mainstream unions have added their weight to advocacy campaigns targeting structural discrimination against migrant workers. They have worked with their international allies to put pressure on governments that fail to respect the right of migrant workers to freedom of association, as has been the case in South Korea. They have lobbied the government for recognition of domestic workers as workers, as in Malaysia, and joined protests demanding migrant labor rights, as in Thailand and Hong Kong. In some cases, they have also engaged in servicing and organizing activities to support temporary labor migrants. Some services have been provided from within unions' own structures; for example, extending in-house legal services to migrant workers, as in the case of the MTUC, or including migrant workers in collective bargaining coverage, as with South Korea's SPU. In other cases, unions have collaborated with other unions or with NGOs in initiatives such as the GUF-sponsored migrant labor help desk in Malaysia. Organizing has been less common, but key sectoral unions have recruited temporary labor migrants as members. In Malaysia, these unions include the TEUPM, UNEPASS, and the EIWU. Elsewhere, national centers like the HKCTU and the KCTU have supported organizing work by providing legitimacy and resources for migrant-only unions. In Thailand, SERC has worked with NGOs and the GUFs to support the formation of a migrant worker association in the absence of a sympathetic industry union.

The success or failure of the international labor movement's efforts to promote change in the attitudes and behavior of mainstream unions can be assessed against four criteria: the presence or absence of a migration-related program in the region, whether or not those programs have succeeded in changing local unions' stated position on temporary labor migration, the extent to which changes in attitude

have translated into concrete initiatives, and whether those concrete initiatives have made that country's labor migration and employment relations regimes more inclusive. On the first three criteria, there has certainly been a measure of success. The GUFs have established migration programs in countries where structural ties and financial flows are strong enough to facilitate the diffusion of international agendas on issues like migration. These programs have resulted not only in substantive changes in public statements made by their affiliates and by national centers on migrant workers; they have also prompted local unions to reach out to this vulnerable constituency through servicing and organizing initiatives. It is a testament to the impact of GUF engagement that local union responses have been strongest not only in Hong Kong, with its relatively open migration schemes and extensive access to freedom of association for migrant workers, but also in Malaysia, which has among the region's least inclusive labor migration and employment relations regimes.

The ultimate test, of course, is the extent to which these programs lead to changes in the structures that govern the working lives of temporary labor migrants. Labor migration and employment relations regimes are necessarily dynamic and thus potentially open to influence from unions and migrant labor NGOs. At the same time, those regimes impose systemic constraints on civil society groups seeking ways to improve the situation of foreign workers, as well as on foreign workers themselves. The willingness and ability of local unions to respond to the needs of temporary labor migrants depend on their ideological position toward migration, which may be relatively easily shifted by discussion with or pressure from interlocutors—or, indeed, by financial incentives. But their ability to act also crucially depends on the constraints imposed on them by other aspects of the employment relations regime, such as the strength and militancy of the union movement, unions' presence and influence in migrant-dense sectors, and limits on migrants' ability to exercise the right of freedom of association.

These findings shed light on the structures that constrain migrant workers and the organizations that support them. They also draw attention to the agency of migrant labor NGOs and labor movement actors in seeking to effect change in those structures, the strategies and processes through which change is pursued, and the outcomes of those attempts. In terms of agency, the cases examined here highlight both the barriers to action imposed by the availability of resources and by internal structures and the opportunities that mainstream unions have to engage with marginal constituencies even in challenging local contexts. A close examination of local conditions makes it clear that the constraints imposed by a country's labor migration and employment relations regimes influence, but do not define, civil society responses to labor migration or the effectiveness of those

responses—especially where those responses are embedded in a regional or global push for migrant labor rights.

These cases also provide insight into the ways in which different structural elements support and constrain migrant labor activism. First and foremost, they confirm that the effective representation of migrant workers' interests requires an ability to engage not only with migrant workers but also with employers and the state. NGOs have made important gains through policy advocacy and have helped many individual migrants through servicing. In most instances, however, their organizing efforts have had limited influence on the position of temporary labor migrants in a given country's employment relations regime. NGO-sponsored migrant associations and migrant-only unions have the benefit of being focused exclusively on the needs and interests of migrant workers, which may differ from those of local workers. But even legally recognized migrant-only unions are largely unable to leverage the mechanisms of the national industrial relations system—let alone promote change to the labor migration regime through it—unless they have links to a mainstream union.

Second, these examples suggest that collaboration between mainstream unions and migrant labor NGOs—when it works well—is beneficial for both sides. Experiments in NGO–union collaboration at the local level and regionally have revealed the productive tension between their different approaches and the complementary contributions of each organizational form. Migrant labor NGOs, with their wealth of experience servicing workers and expertise in regard to migration policy, can be an important resource for unions. In Malaysia, mainstream unions engaged begrudgingly with migrant labor NGOs like Tenaganita only to discover that their ability to support migrant workers in crisis complemented the legal support and workplace-related servicing that unions could provide. In Thailand, NGO members of the TLSC drove its initial engagement with migration policy, leading to more substantive union engagement in later years. In many cases, NGOs' narrow focus and nimble structures have also meant that they are more effective organizers of temporary labor migrants than their union counterparts.

Importantly, the different country-based studies also underscore the fact that one size does not fit all when it comes to international programs designed to effect change in the Asian region. The ability of local unions to follow through on a commitment to better service, organize, or advocate for temporary labor migrants is determined not only by foreign support but also by the labor migration and employment relations regimes in which those local unions operate. Perhaps not surprisingly, the GUFs' migration-related interventions have been most successful in influencing local unions when they have adopted strategies and tactics that respond to local conditions. The benefits of a more tailored approach are most evident in the organizing work supported by BWI, which has focused on

different themes in different countries. In Hong Kong, long-term migrants rallied around the demands for equal pay for equal work. In Malaysia, unionists emphasized temporary migrants' right to join a union, while in South Korea, unions campaigned for the recognition of the right of irregular migrant workers to freedom of association. In all three cases, BWI supported different combinations of separate and integrated organizing, though always in conjunction with a mainstream union.

Finally, while the labor migration and employment relations regimes of individual countries may be the most important determinants of a GUF migration program's chances of success, the agendas of the SSOs that fund most of the international labor movement's migration programs and the internal workings of the GUFs necessarily impose certain constraints on their ability to target and customize their migration-related initiatives. Responding to developments in their home countries, the SSOs have championed local union engagement with labor migration in Asia. In recent years, however, they have been subjected to stricter guidelines on where and how they can spend funds accessed through the international development assistance budgets of their home-country governments. These limitations have a disproportionate effect in the area of migration because destination countries fall in the middle- and high-income brackets and therefore do not meet the requirements of international aid programs. Meanwhile, the individuals who staff the GUFs' regional offices often exercise significant influence on the choice of projects and their chances of success, as do the characteristics of their national affiliates.

Measured against the fourth criterion—of changing the structures that directly influence the lived experience of migrant workers—the impact of international labor movement actors remains modest. At the same time, there is no doubt that the GUFs' migration programs have succeeded in convincing key mainstream unions in several Asian destination countries that they should aspire to and work toward the fairer treatment of temporary labor migrants. In doing so, they have begun to shift the locus of these countries' employment relations regimes in ways that make them more open to temporary labor migrants, and thus potentially facilitate better access for migrant workers to their labor rights.

Notes

INTRODUCTION

1. Exclusionary responses were not limited to Asia. See the later discussion of the European situation. On the United States, see, for example, Haus 1995 and Nissen and Grenier 2001.

2. The strength of focus on Asia is evident in the examples presented in the Council of Global Unions' primer on the international labor movement's engagement with temporary labor migrants (CGU 2008).

3. Although there was some reversal with the onset of the global financial crisis of 2008, the effects of the crisis on migration flows were less significant than predicted (Castles 2011); however, different sectors were differentially affected, with construction, manufacturing, and hospitality hardest hit (Awad 2009). Some countries enacted stricter labor migration policies, while in others shrinking demand led to some level of voluntary repatriation. Immigration flows to Ireland, Spain, and the United Kingdom all slowed (Koehler et al. 2010). Overall, however, flows from Central and Eastern Europe continued to increase (Galgóczi and Leschke 2012).

4. A study of fourteen countries across Europe found that migrant workers are most concentrated in construction and retail, hotel, restaurants, and domestic service, and least concentrated in public services, education, health, transport, and utilities (Gorodzeisky and Richards 2013).

5. There is a significant literature on this question. See for example Bengtsson 2013; Connolly, Marino, and Lucio 2012; Gorodzeisky and Richards 2013; and Hardy et al. 2012.

6. For discussions of the broader question of union renewal (referred to as union revitalization in the United States), see Bronfenbrenner et al. 1998; Fairbrother 2015; Gall and Fiorito 2011; Heery et al. 2002; Lévesque and Murray 2010; Murray 2017; and Turner, Katz, and Hurd 2001.

7. For a detailed discussion of GUF financing, see Croucher and Cotton 2009.

8. The Solidarity Center's access to government funds dried up earlier than was the case for the Northern European SSOs, and while it has played an important role in relation to migrant labor in Asia, its involvement was largely motivated by personal rather than institutional interests.

9. Despite the intensity of low-skilled temporary labor migration in Asia, labor mobility provisions within the framework of the ASEAN Economic Community, for example, focus on professional mobility. Even in the professions, progress has been slow. As of 2015, mutual recognition agreements had been reached on just eight professional groupings, and even these remained subject to destination-country regulation. For further discussion, see Sugiyarto and Agunias 2014.

10. See Martin and Ross 2000 on this general point in relation to Europe.

11. Servicing and organizing are terms used in the general literature on unions to describe the relationship between unions and their members; see, for example, Boxall and Haynes 1997; de Turberville 2004; and Heery et al. 2000.

12. For a discussion of the principles of separate organizing as they pertain to gender, see Broadbent and Ford 2008.

1. ASIA'S LABOR MIGRATION AND EMPLOYMENT RELATIONS REGIMES

1. Much of this literature focuses on migration policy (for example, Huang and Yeoh 1996; Lu 2011; Oishi 2005) and the experiences of temporary labor migrants (for example, Lan 2006; von der Borch 2008).

2. Note, however, that all seven countries are examined in Ruhs's (2013) index of skilled and unskilled migration in forty-six different countries, which covers most of the elements identified here.

3. Accounts that consider the contribution of unions include work by Bal (2016), Dannecker (2005), Gray (2006, 2007), and Tierney (2011). See also articles by Ford (2006b) and Piper (2006) in a special issue of the *Asian and Pacific Migration Journal* on the topic of union–NGO collaboration on temporary labor migration. Unions are also mentioned in some articles on civil society responses to temporary labor migration. Examples include work by Elias (2008, 2010) on Malaysia; by Lyons (2009) on Singapore; and by Constable (2009), Hsia (2009), and Sim (2003) on Hong Kong.

4. An exception is the literature on community-based organizing in the United Kingdom. See, for example, Fitzgerald and Hardy (2010) and Alberti, Holgate, and Tapia (2013).

5. For other uses of this term in relation to Asian destination countries see, for example, Lu (2011) and Bal (2016).

6. The value assigned to a particular country for each of these elements reflects a qualitative assessment of its status in 2015, based on extensive fieldwork and a broad range of primary and secondary sources. Each assessment reflects the relative status of that country on this measure compared to other Asian destination countries, rather than an arbitrary external standard. A rating of "high" may make a positive or negative contribution to the overall assessment of how a country performs in relation to its labor migration regime. For example, high numbers of regular labor migrants are a marker of the openness of the system and are thus a positive influence on a country's overall performance in terms of inclusivity (though not necessarily on the conditions in which migrants are employed). By contrast, high numbers of irregular labor migrants suggest at best regulatory failure and at worst a highly exploitative policy position on temporary labor migration. Similarly, high levels of regulation of the country of origin or the sector of employment have a negative impact on temporary labor migrants' ability to optimize their position in the destination country's labor market. By contrast, a high ranking on the ability to renew a contract in-country or to change employers has a positive impact on the ability of migrants to respond proactively to the opportunities and challenges that arise in the course of their employment. The performance of a country in relation to each element can, of course, change over time as policies and institutional positions change.

7. Increasing numbers of Mainland Chinese are also engaging in temporary labor migration in the region, but these flows remain relatively underdeveloped.

8. Over time, countries of origin have also come to provide a degree of servicing in destination countries, generally through a labor attaché or labor department in their embassy or consulate. The function of these agencies varies considerably. Indeed, as Palmer (2012) has pointed out, different approaches may be used even by different representatives of the same country. For details on the number of labor attaches deployed by different countries, see Asian Development Bank Institute 2016.

9. Brokers also play a very important role in some countries of origin. See, for example, Xiang and Lindquist 2014 and Phuong and Venkatesh 2016.

10. While Japan and South Korea continue to have highly regulated formal programs, their provisions have become more flexible over time. When traineeships were first introduced in Japan, foreigners were allowed to undertake training for one year, a period that was later extended to allow trainees who passed their final examinations to spend up to an additional two years in-country (JITCO n.d.). In South Korea, too, trainees were initially

required to leave when their training contract expired. After the scheme was modified in 1998, they could stay for a further period as fully fledged workers (Lee and Park 2005).

11. In Indonesia and the Philippines, only 30 percent of nonagricultural workers are employed in the formal sector; in India the figure is just 15 percent. In Thailand—the destination country with the lowest rate of formalization in its economy—the figure rises to close to 60 percent (ILO 2015b).

12. Less frequently, unions in sending countries engage in advocacy on behalf of migrant workers at home. In Indonesia, for example, the Confederation of Indonesian Prosperous Labor Unions (Konfederasi Serikat Buruh Sejahtera Indonesia [KSBSI]) has lobbied the government to provide better protection for migrant workers and to resolve the many cases involving unpaid wages and abuse, KSBSI representative, interview, June 2005). Along with other unions, it has also pushed the government to advocate on behalf of migrant workers who have been sentenced to death overseas (Lazuardi 2015).

13. The weakness of Asia's unions is not an inherent characteristic—indeed, Asia was home to a number of strong labor movements in the first half of the twentieth century. From the advent of the Cold War, however, many unions became tools of authoritarian governments at home or foreign policy targets for the superpowers. For a discussion of the role of the AFL-CIO, including what was then the Asian-American Free Labor Institute (AAFLI), see Garver 1989.

14. There has been much discussion of migrant labor NGOs' cross-border networks and their impact on migrant labor activism internationally and in particular destination countries. See, for example, Ford and Lyons 2016.

15. As noted in the introduction, the Solidarity Center is the international wing of the American Federation of Labor and Congress of Industrial Organizations.

2. ASIA'S MIGRANT LABOR NGOs

1. In Taiwan, the initial focus was on formal sector workers, though care workers later emerged as a focus.

2. At the conclusion of a trial that dragged on for more than four years, Nirmala's employer was found guilty and sentenced to eighteen years' imprisonment, although a reduced sentence of twelve years was later approved by the High Court and the Appeals Court (*Malay Mail,* February 25, 2014).

3. As I have argued elsewhere, middle-class women are reluctant to promote measures to improve the wages and conditions of domestic workers at home because they rely on affordable domestic services to manage their own households (Ford and Nurchayati 2017).

4. For an account of the formation of the Center for Migrant Advocacy, see CMA 2012.

5. According to a 2005 survey, more than 100 NGOs active throughout Indonesia were concerned with migrant labor. The survey confirmed, however, that migrant labor was the primary focus of a relatively small proportion of these organizations. In the twelve regions mapped, only 16 percent of NGOs involved in migrant labor issues identified migrant labor as their primary concern (KOPBUMI 2005).

6. Strictly speaking, Solidaritas Perempuan is no longer an NGO. In 1993 it was restructured as an association, adopting the open-membership structure of a mass organization in place of the closed-membership structure of an NGO. In practice, however, the central structure of the organization continues to operate like an NGO, and it continues to derive most of its funding from traditional NGO donor sources.

7. As noted in the introduction, the Solidarity Center's precursor, AAFLI, was an important player in the international labor movement during the Cold War. See chapter 4 for more information about the Solidarity Center's migration-related activities in Asia.

8. See Ford 2006b for details. This outcome is unusual in a country of origin, where most collective efforts take the form of associations rather than formal unions. Moves to transform NGO-sponsored migrant worker associations into unions are not uncommon in destination countries that permit the registration of migrant-only unions (Hong Kong, South Korea, Taiwan), though, as noted in chapter 1, foreign domestic workers are only recognized as workers in Hong Kong.

9. For an overview of the key actors involved in pre-departure training in Bangladesh, Sri Lanka, and the Philippines see Siddiqui, Rashid, and Zeitlyn 2008.

10. In India's case, most migrant domestic workers come from within India (Hill and Palriwala 2017). And although there are significant flows of international migration in the construction and nursing industries, there is little in the way of civil society activism on those workers' behalf.

11. For a discussion of the role Indonesian embassies play in Asian destination countries, see Palmer 2014, 186–218.

12. In addition to having a number of registered domestic worker unions, Hong Kong is home to some 2,500 associations of overseas migrant workers, most of which are organized along ethnic lines (Hsia 2009).

13. For a detailed self-assessment of the Asian Migrants Coordinating Body, see AMCB 2003.

14. The majority of ATKI-HK's members are Muslim because, according to its chairperson, Christian Indonesians prefer to participate in activities hosted by the Asia Pacific Mission for Migrants (interview, November 2005). The association subsequently sponsored the formation of the Indonesian Migrant Muslim Alliance (Gabungan Migran Muslim Indonesia [GAMMI]) (MFMW 2013).

15. This is not to suggest that faith-based organizations are no longer active. The Archdiocesan Commission for the Pastoral Care of Migrants and Itinerant People, for example, is still deeply involved in providing education and other services to migrant workers.

16. For details, see Ford 2006a.

17. For further details on Tenaganita, see Elias 2008, 2010. For a detailed discussion of Tenaganita's use of the anti-trafficking frame, see Lyons and Ford 2014.

18. POHD is an exception here. When parish priests objected to the diocese's instructions to welcome irregular labor migrants, POHD's executive director took a very strong position, invoking the Vatican's view that the Catholic Church's response should not be "watered down" to accommodate the legal framework of any particular country (POHD executive director, interview, May 2010).

19. TWC2 also helped Mainland Chinese construction workers engage with the Ministry of Manpower and provided food and accommodation to Mainland Chinese bus drivers released on bail after an unprecedented two-day strike, but it stopped short of engaging in organizing.

20. There has been no parallel attempt to organize foreign domestic workers elsewhere. This difference cannot be attributed to differences in the level of capacity or willingness among NGO activists. Filipino activists could conceivably have established similar initiatives in Singapore, Malaysia, or Taiwan, but have been prevented from doing so by aspects of the labor migration regime in these countries.

21. In its 2014 report to the United Nations Human Rights Committee, SMJ advocated for policy changes to improve conditions for migrants, including policies relating to migrant women experiencing domestic violence, the recruitment process for migrant workers, changes to the deportation system and detention facilities, and support for victims of trafficking; it also called for the abolition of the Technical Intern Training Program (SMJ 2014).

22. The 2006 High-Level Dialogue on International Migration and Development was the first global event of its kind. It resulted in the creation of the Global Forum on Migra-

tion and Development (UN 2013). Although unions participated in the 2006 High-Level Dialogue, the 2007 Global Forum on Migration and Development involved only governments. A number of the GUFs have participated in subsequent forums and in parallel civil society events. For further details, see the final section of this chapter and chapter 4.

23. This was not the first of these kinds of actions. In the previous year, 111 undocumented workers seeking compensation for severe injuries from industrial accidents staged a sit-in at the building of the Citizens' Coalition for Economic Justice.

24. Mae Sot is also home to the Burma Labor Solidarity Organization, which split off from YCO, as well as the Mae Tao health clinic and a labor law clinic supported by the Solidarity Center, the Thai Bar Association, and Forum Asia (Ford 2007).

25. For a brief analysis of the role of the FTUB, see Arnold 2013, 96–97.

26. The network subsequently adopted "Migrant Workers Union Thailand" as an additional name, but there is no evidence that there is any separation between the two.

27. The future of the Thai Labor Campaign has been unclear since Lek was forced to seek asylum in Finland after being charged with *lèse majesté* under the Thai Criminal Code.

28. For a discussion of the genesis of MFA and the role of the AMC in it, see Sim 2003.

3. ENTER THE GUFs

1. These were followed by the Tripartite Action to Protect Migrants within and from the Greater Mekong Subregion from Labor Exploitation (TRIANGLE), the first phase of which ran between 2010 and 2015. A second phase began in 2015 and was due to run until 2025.

2. A number of ILO projects including "Decent Work across Borders" and "Work in Freedom" have involved GUFs (Hurst 2007; ILO 2008, PSI 2014b; IndustriALL 2013c).

3. The World Confederation of Labour was an international body representing Christian unions. Formerly known as the International Federation of Christian Trade Unions, it was founded in Europe in 1920.

4. The IFJ does, of course, campaign for journalists who have difficulties with their visas or stemming from their coverage of sensitive issues. For example, it joined its affiliate, the Federation of Nepali Journalists, in calling for the immediate release of a Nepali journalist and the activist he was accompanying, who were detained by Qatar authorities while filming a documentary about the treatment of migrant Nepali workers in Qatar (IFJ 2014). It also joined the European Federation of Journalists in condemning a crackdown on the Roma community and efforts to prevent journalists from covering the raids (IFJ 2010). Some IFJ affiliates also engage peripherally with migrant workers.

5. In UNI, regional officials are elected and thus have significant power independent of headquarters. In other GUFs, such as BWI and IndustriALL, regional office heads are appointed by headquarters, to which they report directly. Yet even where GUFs maintain relatively tight control over the activities of their regional offices, regional secretaries and even project officers have a considerable amount of discretion over what to prioritize and how to do the work (Ford and Dibley 2012).

6. Connelly, Marino, and Lucio (2014, 13) suggest that, although "much lauded within the official European trade union movement," this initiative failed either to create a network of migrant activists or to generate support among the unions' core membership.

7. This model, which ultimately aimed to integrate the cleaners' branch into the broader union structure, is one of four quite different approaches identified by Alberti, Holgate, and Tapia (2013) in hospitality, cleaning, domestic services, and care work unions in the United Kingdom.

8. Having initially aimed for twelve ratifications by the end of 2012, the campaign had achieved twenty-one ratifications by the end of 2015 (ITUC and IDWF 2015).

9. The portal can be found at http://www.migrantteachersrights.org/.

10. The *kafala* system is a sponsorship system primarily used in the Gulf States. The system absolves the host government from having to provide migrant workers with any labor protection. A migrant worker cannot leave the country or change employers without the permission of the sponsor (Pande 2013).

11. After welcoming them and acknowledging the problems they face in Norwegian workplaces, the webpage describes in detail the benefits of union membership (Norsk Transportarbeiderforbund 2015).

12. Participants in the merger were the IMF, the International Textile, Garment and Leather Workers' Federation (ITGLWF), and the International Federation of Chemical, Energy, Mine and General Workers' Unions (ICEM).

13. Global Framework Agreements, also referred to as International Framework Agreements, are agreements negotiated between multinational enterprises and the GUFs aimed at promoting and monitoring fundamental labor standards within a multinational company. For a discussion of Global Framework Agreements as a GUF strategy, see Papadakis 2011.

4. THE GUFs AND MIGRANT WORKERS IN ASIA

1. This section draws on Ford 2013.

2. In some situations, projects have been funded by bodies that do not normally directly fund unions. For example, the Task Force on ASEAN Migrant Workers (TF-AMW), described later, was a five-year project that received technical and financial support from the Southeast Asia Regional Cooperation in Human Development project of the Canadian International Development Agency (Samydorai 2009).

3. By this time, the Solidarity Center had become actively engaged with debates in the United States on human trafficking. It was a key proponent of the position that exploitation experienced during labor migration should be considered alongside trafficking for the purposes of sexual exploitation. For a discussion of the position taken in Indonesia, where the Solidarity Center was involved in a similar project involving garment workers, see Ford and Lyons 2012.

4. In addition to its programs in Asian destination countries, the Solidarity Center is also involved in an initiative that focuses on Qatar and Jordan.

5. For a detailed account of these interventions, see MFA 2004.

6. I was part of the team that undertook this research project, alongside Nicola Piper and Malou Alcid. We participated in the August 2005 workshop and a number of the subsequent meetings.

7. NGOs were also present at some of the meetings organized by the Asia-Pacific Regional Office of the ITUC (field observations, September 2009).

8. The atmosphere at these meetings was at times very tense (field observations, November 2006, November 2007, and October 2008).

9. See chapter 3 for more details of the process leading to the passage of the convention and the role of NGOs and the international labor movement in it.

10. The IUF's office was located in Singapore until 1981, when it fell afoul of power brokers in the ICFTU and Regional Secretary Ma Wei Pin was forced to relocate to Australia.

11. Recall that the IMF was one of the three manufacturing GUFs that became part of IndustriALL in 2012.

12. Field observations suggest that similar patterns are evident in the relatively small number of other countries in the region where this is also the case. Most SSOs do not have country offices, though SASK and LO-Norway employ individuals as regional representatives.

13. The SSOs' programs in Malaysia and Hong Kong, as well as in several countries of origin, have focused on female overseas domestic workers. With the notable exceptions

of the IUF and UNI, the GUFs' migration projects have centered mainly on the formal and semiformal sector(s), over which they have primary jurisdiction.

14. This assessment is based on a survey of GUF online reports.

15. As the European experience has shown, even relatively well-resourced unions can struggle to accommodate temporary labor migrants beyond implementing basic measures such as providing information in the languages of migrant groups and employing a small number of organizers from their home countries. As chapter 5 shows, many of the union movements in Asia necessarily find recruitment and servicing even more difficult, since they are less institutionalized and less well resourced.

16. The IUF's Swedish affiliate has attempted to advocate for better working conditions for hotel workers from Myanmar in Thailand, where many Swedes go on vacation, and more recently in Myanmar itself. See, for example, the report produced for the Swedish Hotel and Restaurant Workers' Union and its civil society allies on conditions experienced by Myanmar workers in Thailand, used as part of a campaign to encourage Swedish tour companies to insist on more worker-friendly practices in their hotel partners (Schyst Resande 2015).

17. BWI's Asia work also attracted funding from FES and Union to Union (BWI gender, migration, and campaigns director, interview, September 2015).

18. See chapter 5 for details.

19. These mechanisms are similar to those introduced earlier to encourage affiliates to focus more on women. For a discussion of one approach to promoting gender equality in the Indonesian case, see Ford 2008.

20. The UNI Malaysian Liaison Council was renamed the UNI Malaysia Labour Center in 2013.

21. It is important to distinguish between organizing initiatives and more traditional forms of education and training that have long dominated GUF work in the region. While organizing initiatives may incorporate education and training programs targeted at migrant workers and local union activists, they differ substantively from information-sharing activities that are not embedded in an organizing strategy.

22. For details of a companion agreement between Japan and Indonesia and union responses to its negotiation, see Ford and Kawashima 2013, 2016.

23. The KCTU also has a relationship with the Philippines-based May First Labor Movement, but efforts to establish a Memorandum of Understanding have faltered (KCTU director for unorganized and precarious workers, interview, December 2011).

24. For a detailed account of the civil society days and extensive regional consultations that preceded them, see MFA 2009.

25. I attended a number of these meetings between 2005 and 2009, at which it was very clear that efforts to bridge the gap between unions and NGOs were novel—and very challenging—for both sides.

5. MEASURES OF SUCCESS

1. For details of these schemes and union responses to them, see Ford and Kawashima 2013, 2016.

2. Since 1994, the Zentōitsu Workers Union has been affiliated with a smaller national center called Zenrōkyō. Zenrōkyō subsequently adopted a pro-migrant stance (Roberts 2000).

3. See Ho 2006 for a detailed discussion of industrial flashpoints in this period, as well as an account of the strategies used to circumvent the dominance of the CFL. For a discussion of the precursors to the TCTU, see Ho 2015.

4. As noted in chapter 4, BWI's attempts to involve its Taiwanese affiliate in the construction sector in its Asian migration project also failed (BWI education secretary, interview, April 2009).

5. According to the MTU president, collaboration with the KCWU on initiatives designed to change attitudes toward migrant workers proved challenging because of entrenched practices within mainstream unions (interview, December 2011).

6. For a discussion of the problems involved in relying on the mainstream union movement in South Korea, see Gray 2007.

7. At the time of writing, it was still too early to comment on the progress of the IUF-sponsored union established by migrant agricultural workers in late 2015.

8. For a discussion of the concept of state corporatism and its application in New Order Indonesia, see Ford 1999.

9. Not all companies allow the union to represent migrant workers in collective bargaining. Of the forty-five companies in which SMEEU had branches in 2010, only two had collective labor agreements that covered migrant workers. Both of these were foreign owned and relatively small.

10. For an account of this incident see Neo 2015.

11. As of 2014, a total of thirteen foreign domestic worker unions were registered, three of which were recorded as having no members (Hong Kong Registry of Trade Unions 2015). As noted in chapter 2, there are many other associations of foreign domestic workers in the territory.

12. For detailed discussions of the Indonesian Migrant Workers Union, see Sim 2003 and Swider 2006.

13. The officially declared membership of Progressive Labor Union of Domestic Workers in 2014 was 385. This was the largest declared membership of any migrant domestic worker union (Hong Kong Registry of Trade Unions 2015).

14. Over time, the federation's institutional membership has shifted, with the Progressive Labor Union of Domestic Workers joining and FMWU and IMWU leaving. The latter two unions have nevertheless maintained their affiliate status with the HKCTU.

15. For a discussion of FADWU's involvement in the formulation of the Domestic Workers Convention, see Lim 2016.

16. Wage discrepancies were another ongoing focus. During an evening visit to the NCWU office in December 2010, I observed a group of activists engaged in an intense discussion of strategies to address the underpayment of Nepalese workers employed in the construction of a tunnel.

17. Its declared membership nevertheless remained relatively buoyant at 361, which makes it larger than the Bar-Bending Workers Union and more than one-third the size of the CSWGU (Hong Kong Registry of Trade Unions 2015).

18. Public sector unions are brought together in the Congress of Unions of Employees in the Public and Civil Services (CUEPACS).

19. It should be noted that there were clauses that undermined these provisions, allowing the day off to be converted into overtime and passports to be kept by employers for "safekeeping" (Tenaganita 2012).

20. For a discussion of working conditions in the electronics industry, see Bormann et al. 2010.

21. For a discussion of conditions for foreign workers in Port Klang immediately before this change was made, see Hill 2012.

22. This attempt to influence government policy ultimately failed, as Thai authorities scaled up deportations of migrant workers following the deadline for verification (Burma Partnership 2010).

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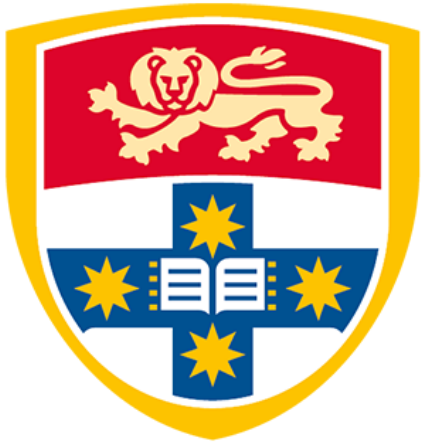

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"*From Migrant to Worker* is a great contribution toward understanding migrant worker activism more broadly."

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What happens when local unions begin to advocate for the rights of temporary migrant workers? asks Michele Ford in her sweeping study of seven Asian countries. Until recently, unions in Hong Kong, Japan, Malaysia, Singapore, South Korea, Taiwan, and Thailand were uniformly hostile toward foreign workers, but Ford deftly shows how times and attitudes have begun to change. Now, she argues, NGOs and the Global Union Federations are encouraging local unions to represent and advocate for these peripheral workers and in some cases are succeeding.

From Migrant to Worker builds our understanding of the role the international labor movement and local unions have had in developing a movement for migrant workers' labor rights. Ford examines the relationship between different kinds of labor movement actors and the constraints imposed on those actors by resource flows, contingency, and local context. Her conclusions show that in countries such as Hong Kong, Malaysia, and Thailand, where resource flows and local factors give the Global Union Federations more influence, local unions have become much more engaged with migrant workers. But in countries where the Global Union Federations have little effect—Japan and Taiwan, for example—there has been little progress. Ford forces us to see that although much has changed, labor migration in Asia is still fraught with complications and hardships and local unions are not always able or willing to act.

MICHELE FORD is Professor of Southeast Asian Studies and Director of the Sydney Southeast Asia Centre at the University of Sydney. She is the author of *Workers and Intellectuals*.

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